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CANONS AND DECREES

OF THE

COUNCIL OF TRENT.

WITH A SUPPLEMENT,

CONTAINING THE CONDEMNATIONS OF THE EARLY REFORMERS, AND OTHER MATTERS RELATING TO THE COUNCIL.

LITERALLY TRANSLATED INTO ENGLISH.

BY

THEODORE ALOIS BUCKLEY, B.A.,

OF CHRIST CHURCH, OXFORD.

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PREFACE.

THE Decrees and Canons of the Council of Trent are documents as valuable in a legal and historical, as in a religious point of view. Amid much that is purely Papal in its character, amid many avowed professions of unscriptural superstition, there is still much that is common to Reformed Churches, much that proves that "if there was a good deal of policy in the decisions of the Council of Trent, there was no want also of conscientious sincerity."[a] To know what Roman Catholicism really is, according to its own best accredited testimony, we must turn to the pages of this council; to try Rome fairly, we must hear her plead her own cause.

Recent circumstances, doubtless fresh in the minds of my readers, render the publication of these documents in an English form highly expedient. While one class of persons have sought to explain away essential differences, and to invalidate the common belief regarding the errors of Rome, too many have likewise degenerated into the opposite extreme—have mistaken unqualified abuse of Rome for orthodox Christianity. It is in the humble hope that a spirit of fair and temperate inquiry, a desire to separate the tares from the wheat, may be aroused in the professors of Protestantism, as well as that the firmness of their rational resistance to

[a] Hallam's Literature of Europe, vol. i. p. 545.

Rome may be increased, that the present volume has been put forth.

Soon after its commencement, I learnt that Dr. Waterworth had anticipated me in my design; but, on obtaining his edition, I found that its price was a decided hindrance to its fitness for extensive circulation. Furthermore, the scriptural references were made with extreme inaccuracy, the oration delivered at the conclusion of the council was omitted, and the important appendix of additional statutes, embracing the condemnations of the early Reformers—passages most interesting to Protestants—is also wanting in his edition. These selections, which form about one-third of the present volume, appear in English for the first time, and, besides their great historical value, form an excellent commentary on the decrees and canons themselves. The treatises now published, together with the Catechism of the Council of Trent, which will shortly appear in a similar form, will furnish a complete history of Roman Catholic doctrine.

But far be it from me to detract from the learning and industry of Dr. Waterworth. On the contrary, I willingly confess myself indebted to his translation for many important hints and suggestions. My own aim, however, has been to produce a more rigidly literal version, even to the sacrifice of style. The concise and technical dryness of such documents is greatly against the translator; but the self-denial of a conscientious accuracy is his first duty, most of all in matters where religion is concerned.

The few notes appended to the translation are chiefly glossarial; for the pressure of other literary engagements prevented the possibility of adding such a commentary as I trust to publish, should the success of this volume call for a second edition. I must not omit to do justice to the industrious and attentive co-operation, throughout a con-

siderable portion of the work, of Dr. Spillan, of Trinity College, Dublin, the able translator of the first decade of Livy.

To the Rev. Charles Marriott, Fellow of Oriel, and Rector of St. Mary's Church, Oxford, my warmest thanks are also due for his kind and judicious suggestions throughout the translation of the supplementary documents.

THEODORE ALOIS BUCKLEY,
Christ Church.

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DECREES AND CANONS,

&c.

BULL OF INDICTION OF THE SACRED ŒCUMENICAL[a] AND GENERAL COUNCIL OF TRENT,

Under the Sovereign Pontiff Paul III.

PAUL, bishop, servant of the servants of God, for the future memory hereof.

At the beginning of this our pontificate, which, not on account of our own merits, but, of its own great goodness, the providence of Almighty God hath committed unto us, already perceiving into what disturbances of the times, and unto how many embarrassments of almost all our affairs, our pastoral care and watchfulness were called; we desired, indeed, to remedy the evils of the Christian commonwealth, with which it had long been afflicted and well-nigh overwhelmed; but we also, as men *compassed with infirmity*,[b] perceived that our strength was unequal to take upon us so great a burthen. For, whereas we saw that there was need of peace to deliver and preserve the commonwealth from the many impending dangers, we found all things replete with

[a] The term œcumenical (*οἰκομενικὸς*) is derived from the Greek word *οἰκουμένη*, applied to the whole earth, and subsequently, in a more restricted sense, to the territory subject to the Roman empire (see Pricæus and Kuinoel on Luke ii. 1, and Matt. xxiv. 14). Hence, it signifies *general; i. e.* "a council gathered together from all, or most, places of the world where the church of Christ is settled.—Beveridge on Art. xxi. p. 250. Bishop Burnet (on Art. xxi.) says: "The natural idea of a general council is a meeting of all the bishops of Christendom, or at least of proxies instructed by them and their clergy. Now if any will stand to this description, then we are very sure that there was *never yet a true general council*: which will appear to every one that reads the subscriptions of the councils."

[b] Heb. v. 2.

enmities and dissensions; above all, the princes, to whom well-nigh the whole direction of matters has been intrusted by God, at enmity with each other. Whereas we deemed it necessary that there should be *one fold and one shepherd*[c] for the Lord's flock, in order to confirm the integrity of the Christian religion, and the hope of heavenly things within us; the unity of the Christian name was well-nigh rent and torn asunder by schisms, dissensions, heresies. Whereas we could have wished the commonwealth safe and defended from the arms and insidious attacks of the unfaithful, yet, through our transgressions and the guilt of us all,—the wrath of God, forsooth, hanging over our sins,—Rhodes had been lost; Hungary harassed; war both by land and sea had been intended and planned against Italy, Austria, and Illyria; whilst our impious and ruthless enemy, the Turk, was never at rest, and deemed our own mutual enmities and dissensions his fitting opportunity for carrying out his designs with success. Wherefore, as we have said, having been called upon to guide and govern the bark of Peter, in so great a tempest, and in the midst of so violently-upraised waves of heresies, dissensions, and wars, and, as we did not rely sufficiently on our own strength, we, first of all, *cast our cares upon the Lord*,[d] that He might sustain us, and furnish our soul with firmness and strength, our mind with prudence and wisdom. Then, recalling to mind that our predecessors, endowed with admirable wisdom and holiness, had often, in the greatest perils of the Christian commonwealth, had recourse to œcumenical councils and general assemblies of bishops, as the best and most opportune remedy, we also fixed our mind on holding a general council; and having consulted the opinions of those princes, whose consent seemed to us to be especially useful and opportune for this matter; when we found them, at that time, not averse from this so holy a work, we, as is attested by our letters and records, indicted an œcumenical council, and a general assembly of those bishops and other fathers whom it concerned, to be opened at the city of Mantua, on the tenth of the calends of June,[e] in the year 1537 of the incarnation of our Lord, the third of our pontificate; having

[c] John x. 16. [d] Ps. lv. 22. [e] *I. e.* May 23rd.

an almost certain hope that, when we were there assembled in the name of the Lord, the Lord himself, as He promised, would *be in the midst of us*,[f] and, in His goodness and mercy, easily put down, by the breath of His mouth, all the storms and all the dangers of the times. But, as the enemy of mankind ever sets his snares against holy deeds, at the very first, contrary to all our hope and expectation, the city of Mantua was refused us, unless we would submit to certain conditions, which we have described in other letters of ours, utterly alien from the institutes of our ancestors, the state of the times, our own dignity and liberty, that of this Holy See, and of the ecclesiastical name. We were, therefore, necessitated to find another place, and to choose some other city; and whereas one fit and suitable did not immediately occur to us, we were compelled to prorogue the celebration of the council until the ensuing calends of November.[g] Meanwhile our cruel and perpetual enemy, the Turk, attacked Italy with a vast fleet, having taken, ravaged, sacked several cities of Apulia, and carried off a booty of captives; we, amidst the greatest alarm and danger of all, were busied in fortifying our shores, and in furnishing assistance to the neighbouring states. Nevertheless, we did not meanwhile omit to consult with the Christian princes, and to exhort them to inform us what, in their opinion, would be a suitable place for holding the council: and whereas their opinions were wavering and various, and delay seemed to be unnecessarily protracted, we, with the best intent, and, as we think, with the best judgment, fixed on Vicenza, a wealthy city, and one which, by the valour, authority, and power of the Venetians, who granted it to us, offered in a special manner both unobstructed access, and a free and safe place of residence for all. But whereas too much time had already passed away; and it was requisite to signify to all the new city that had been chosen; and whereas the approaching calends of November precluded the possibility of making the announcement [of this change] public, and winter was now near; we were again compelled to defer, by another prorogation, the time for the council till the next ensuing spring, and the next calends of May.[h] This matter having

[f] Matt. xviii. 20. [g] Nov. 1. [h] May 1st.

been firmly settled and decreed; considering,—whilst we were making ready ourselves, and all other matters for fitly conducting and celebrating that assembly under the help of God,—that it was a point of the greatest importance, both as regards the celebration of the council, and the general weal of Christendom, that the Christian princes should be united together in peace and concord; we ceased not to implore and conjure our most beloved sons in Christ, Charles, ever august, the emperor of the Romans, and Francis, the most Christian king, the two main supports and defences of the Christian name, to meet together for a conference between them and us; and, with both of them, by letters, nuncios, and our legates *a latere* selected from the number of our venerable brethren, did we very often urge that they should, instead of their jealousies and animosities, unite in one alliance and holy friendship, and succour the tottering cause of Christendom: for whereas it was to preserve this especially, that their power had been bestowed on them by God, if they neglected to do this, and directed not their counsels to the common weal of Christians, a sharp and severe account would they have to render unto that God. They, yielding at last to our prayers, betook themselves to Nice; whither we also, for the cause of God, and to bring about peace, undertook a long journey, though greatly unsuited to our advanced age. Meanwhile, as the time fixed for the council, the calends, to wit, of May, drew nigh, we did not omit to send to Vicenza three legates *a latere*,—men of the greatest virtue and authority, chosen from the number of the aforesaid our own brethren, the cardinals of the Holy Roman Church,—to open the council; to receive the prelates as they arrived from various quarters; and to transact and manage such matters as they should deem necessary, until we, returning from our journey and message of peace, should be able to direct everything with greater precision. In the mean time, we applied ourselves to that holy and most necessary work, to wit, the negotiation of peace between the princes; and this with all the zeal, the affection, and the earnestness of our soul. God is our witness, relying on whose clemency we exposed ourselves to the dangers of that journey to the peril of our life: our conscience is our witness, which herein, at least, cannot

reproach us with having either passed by, or not sought for, an opportunity of effecting a reconciliation: the princes themselves are our witnesses, whom we so often and so earnestly conjured by our nuncios, letters, legates, admonitions, exhortations, and by all kinds of entreaties, to lay aside their jealousies, to unite in alliance, with combined zeal and forces to succour the Christian commonwealth, which was now reduced to the most pressing danger. Yea, witnesses too are those watchings and cares, those labours of our soul both by day and night, and those grievous solicitudes, which we have already endured to such an extent in this business and cause. Yet have our counsels and acts not as yet brought about the wished-for result. For so hath it seemed good to the Lord God, who, however, we doubt not will yet cast a more favourable eye on our wishes. For ourselves, we, as far as in us lay, have not, indeed, omitted anything in this matter that was due from our pastoral office. And if there be any who interpret our labours in behalf of peace in any other sense, we are grieved indeed; but, in our grief, we, nevertheless, return thanks to Almighty God, who, as a pattern and lesson of patience unto us, willed that His own apostles should be *accounted worthy to suffer shame for the name of Jesus*,[1] *who is our peace*.[2] However, in that our meeting and conference held at Nice, though, by reason of our sins hindering, a true and permanent peace could not be concluded between the two princes, yet was a truce for ten years settled; under favour of which having hopes, that both the sacred council might more conveniently be celebrated, and further that peace might be fully established by the authority of the council, we were urgent with those princes to come in person to the council, to bring with them those of their prelates who were at hand, and to summon the absent. They have excused themselves upon both these points,—because it was at that time necessary for them to return to their kingdoms, and because the prelates whom they had with them, being wearied and exhausted by the journey and its expenses, must needs be refreshed and recruited,—exhorted us to decree yet another prorogation of the time for holding the council.

[1] Acts v. 41. [2] Eph. ii. 14.

And whereas we made some difficulty in yielding in this matter, we meanwhile received letters from our legates at Vicenza, to the effect that, although the day for opening the council had arrived, nay, had long since passed by, barely one or two prelates from any of the foreign nations had betaken themselves to Vicenza. Upon receiving this information, derceiving that the council could not, under any circumstances, be held at that time, we granted to the aforesaid princes, that the time for holding the council should be deferred till the next holy Easter, the feast-day of the Resurrection of the Lord. Of which our ordinance and prorogation, the decretal letters were given and published at Genoa, in the year of the Incarnation of our Lord 1538, on the fourth of the calends of July.[k] And this delay we granted the more readily, because each of the princes promised us to send an ambassador to us at Rome; in order that those matters which were necessary for the complete establishment of peace,—all of which could not, on account of the shortness of the time, be completed at Nice,—might be treated of and arranged more conveniently at Rome in our presence. And for this reason also, they both begged of us, that this negotiation of peace might precede the celebration of the council; since, peace once established, the council itself would then be much more useful and salutary to the Christian commonwealth. For it was this hope of peace, thus held out to us, that ever moved us to assent to the wishes of the princes; a hope which was greatly increased by the kindly and friendly interview between those two princes after our departure from Nice; the news of which being received with very great joy, confirmed us in our good hope, that we believed that our prayers had at length been heard by God, and our earnest prayers for peace received. As, then, we both desired and urged the conclusion of this peace, and as it seemed good not only to the two princes aforenamed, but also to our most dear son in Christ, Ferdinand, king of the Romans, that the business of the council ought not to be undertaken until peace had been established; whilst all the parties urged upon us, by letters and their ambassadors, again to appoint a further prorogation of

[k] June 28th.

the time; and the most serene emperor was especially urgent, representing that he had promised to those who dissent from Catholic unity, that he would interpose his mediation with us, to the end that some plan of concord might be devised, which could not be satisfactorily accomplished before his return to Germany: we, ever impelled by the same desire of peace, and by the wishes of so great princes, and, above all, perceiving that not even on the said feast of the Resurrection had any other prelates assembled at Vicenza, we, now avoiding the word prorogation, which had been so often repeated in vain, chose rather to suspend the celebration of the general council during our own good pleasure, and that of the Apostolic See. We accordingly did so, and despatched our letters touching such suspension to each of the above-named princes, on the 10th day of June, 1539, as from them may be clearly seen. This suspension, then, having been of necessity made by us, whilst we were awaiting that more suitable time, and some conclusion of peace which was later to bring both dignity and numbers to the council, and more immediate safety to the Christian commonweal; the affairs of Christendom, meanwhile, fell daily into a worse state. The Hungarians, upon the death of their king, had invited the Turk; King Ferdinand had declared war against them; a party of the Belgians had been incited to revolt from the most serene emperor, who, to crush that revolution, traversed France on the most friendly and concordant terms with the most Christian king, and with great show of mutual good-will towards each other; and, having reached Belgium, thence passed into Germany, where he commenced holding diets[1] of the princes and cities of Germany, with the view of treating of that concord of which he had spoken to us. But since,—the hope of peace now failing,—the scheme of procuring and treating of reunion in those diets seemed rather adapted to excite greater discords, we were led to revert to our former remedy of a general council; and by our legates, cardinals of the Holy Roman Church, we proposed this to the emperor himself; and this we did finally and especially in the diet of Ratisbon, on which occasion our beloved son, Cardinal Gaspar Con-

[1] Conventus.

tarini, of the title of St. Praxedes, acted as our legate with the greatest learning and integrity. For, whereas, what we had previously feared would come to pass, that by the advice of that diet we were called upon to declare that certain of the articles, maintained by those dissenting from the Church, were to be tolerated until they should be examined and decided upon by an œcumenical council; and whereas neither Christian and Catholic truth, nor our own dignity and that of the Apostolic See, would suffer us to yield this,—we preferred rather to command that it should be openly proposed, that a council should be held as soon as possible. Nor indeed had we ever been of any other opinion or wish, but that an œcumenical and general council should be convened at the very first opportunity. For we hoped that thereby both peace might be restored to the Christian people, and the integrity of the Christian religion; yet were we desirous to hold that [council] with the good-will and favour of the Christian princes. And, whilst awaiting this good-will, whilst watching for that hidden time, *for the time of thy good pleasure, O God*,[m] we were at last compelled to come to the conclusion, that every time is well pleasing unto God wherein deliberations are entered upon touching holy things, and such as relate to Christian piety. Wherefore, beholding with the greatest pain of our soul, that the affairs of Christendom were daily hurrying on to a worse state,—Hungary being overwhelmed by the Turks, Germany endangered, all the other states oppressed with terror and affliction,—we resolved to await no longer the consent of any prince, but to look solely to the will of the omnipotent God, and the advantage of the Christian commonwealth. Accordingly, as we no longer had the city of Vicenza, and were desirous, in our own choice of a new place for holding the council, to have regard both to the common welfare of Christians, and also to the troubles of the German nation; and seeing, upon several places being proposed, that they[n] wished for the city of Trent, we,—although we deemed that everything might be transacted more conveniently in Italy,[o]—nevertheless yielded up our will, with paternal charity, to their demands. Accordingly,

[m] Ps. lxviii. 14 (in our version, lxix. 13, "in an acceptable time").
[n] *I. e.* the Germans.
[o] *I. e.* Cisalpine Italy, Italy within the Alps.

we have chosen the city of Trent as that wherein an œcumenical council should be held on the ensuing calends of November;[p] fixing upon that place as a suitable one whereat the bishops and prelates can assemble very easily indeed from Germany, and from the other nations bordering on Germany, and without difficulty from France, Spain, and the other remoter provinces. But that day for the council has been sought for by us which allowed sufficient time both for publishing this our decree throughout the Christian nations, and for giving all prelates an opportunity of coming. Our reason for not prescribing that a whole year should expire before changing the place of the council, as has been before ordained by certain constitutions,[q] was this, that we were unwilling that our hope should be any longer delayed of applying a remedy to some extent to the Christian commonwealth, suffering as it is under so many disasters and calamities. And yet we observe the times, we acknowledge the difficulties. We know that what may be hoped for from our councils is uncertain. But, seeing it is written, *Commit thy way unto the Lord, trust also in him, and he shall bring it to pass*[r] we have resolved rather to trust in the clemency and mercy of God, than to distrust our own weakness. For it often happens, upon engaging in good works, that what human counsels fail in, the divine power accomplishes. Wherefore, relying and resting on the authority of that Almighty God, Father and Son, and Holy Ghost, and on the authority of His blessed apostles Peter and Paul, which [authority] we also exercise on earth; with the advice, also, and assent of our venerable brethren, the cardinals of the Holy Roman Church; having removed and annulled, as by these presents we do remove and annul, the suspension of which mention has been above made, we proclaim, announce, convoke, appoint, and decree a sacred, œcumenical, and general council, in the city of Trent, a place convenient, free, and opportune for all nations; to be opened on the ensuing calends of November of the present year, 1542 from the Incarnation of the Lord; and to be prosecuted, concluded, and completed, with God's help, to His own glory and praise,

[p] November 1st. [q] Concil. Constantiense, sess. 39.
[r] Ps. xxxvi. 5 (xxxvii. 5).

and the saving health[s] of the whole Christian people; requiring, exhorting, admonishing all, from every country, as well our venerable brethren the patriarchs, archbishops, bishops, and our beloved sons the abbots, as also all others soever, unto whom, by right or privilege, the power has been granted of sitting in general councils, and of declaring their sentiments therein; enjoining moreover, and strictly commanding them, by virtue of the oath which they have taken to us and to this Holy See, and in virtue of holy obedience, and under the other penalties, which, by law or custom, are wont to be passed and proposed in the celebration of councils, against those who do not attend, that they (unless they shall happen to be hindered by some just impediment, of which, however, they shall be compelled to furnish proof,) are undoubtedly to repair to and to be themselves present in person at this sacred council—or at all events by their own lawful deputies and proctors: and the aforenamed emperor, and the most Christian king, as also the other kings, dukes, and princes, whose presence, at this time indeed, if ever, would be of especial advantage to the most holy faith of Christ, and of all Christians; we beseech and conjure [them] by the bowels of the mercy of God and of our Lord Jesus Christ,—the truth of whose faith, and whose religion are now so heavily assailed both from within and without,—that, if they would have the Christian commonwealth safe, if they feel themselves bound and obliged to the Lord by his great benefits towards them, they abandon not His own cause and affairs; but come in person to the celebration of the sacred council, in which their piety and virtue would be most greatly conducive to the common advantage, to their own welfare, and that of others, both temporal and eternal. But if, which we would fain wish otherwise, they shall be unable to come in person, let them at least send, with full powers to act,[t] as their deputies, men of weight, who may each in the council represent the person of his prince with prudence and dignity. But above all, let this—which is a matter very easy for them—be their care, that, from their respective kingdoms and provinces, the bishops and prelates set forth

[s] Salutem. [t] Cum auctoritate.

without tergiversation and delay; a request which it is just that God himself and we should obtain from the prelates and princes of Germany in a special manner; since, as it is principally on their account, and at their own desire, that the council has been proclaimed and convoked, and in the very city desired by them, let them not think it burthensome to celebrate and adorn it with the presence of their whole body, to the end that thus, what things soever appertain to the integrity and truth of the Christian religion; the restoration of good, and the correction of evil manners; the peace, unity, and concord between Christians, both princes and peoples; and whatsoever be needful for repelling those assaults of barbarians and infidels, with which they seek to overthrow all Christendom, with God going before us in our deliberations, and holding before our minds the light of His own wisdom and truth, may, in the said sacred œcumenical council, in a better and more commodious manner, be treated of, and, with the charity of all conspiring to one end, be deliberated and discussed, executed and brought to the desired issue, as speedily and happily as possible. And that these our letters, and the contents thereof, may come to the knowledge of all whom it concerns, and that no one may plead ignorance thereof as an excuse, especially also as there may not perhaps be free access to all, unto whom our letters ought to be individually communicated; we will and ordain, that in the Vatican Basilica of the prince of the apostles, and in the Lateran Church, at the time when the multitude of the people is wont to be assembled there to hear divine service, they be read publicly in a loud voice by officers of our court, or by certain public notaries; and, after having been read, be affixed to the doors of the said churches, also to the gates of the apostolic Chancery, and to the usual place in the Campo di Fiore, where they shall for some time hang exposed to be read and seen by all; and, when removed thence, copies thereof shall still remain affixed in the same places. For we will that, by being thus read, published, and affixed, all and each of those whom our aforesaid letters include, shall be obliged and bound, after the interval of two months from the day of the letters being published and affixed, even as if they had been read and communicated to them in person.

And we ordain and decree, that a certain and undoubting faith be given to copies thereof written, or subscribed by the hand of a public notary, and guaranteed by the seal of some ecclesiastic constituted in authority. Wherefore, let it be lawful for no man to infringe this our letter of indiction, announcement, convocation, statute, decree, mandate, precept, and entreaty, or with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His blessed apostles Peter and Paul. Given at Rome, at Saint Peter's, in the year 1542 of the Lord's Incarnation, on the eleventh of the calends of June,[n] in the eighth year of our pontificate.

BLOSIUS. JER. DAND.

SESSION THE FIRST OF THE ŒCUMENICAL AND GENERAL COUNCIL OF TRENT,

Celebrated under the Sovereign Pontiff Paul III., on the thirteenth day of the month of December, A.D. 1545.

DECREE TOUCHING THE OPENING OF THE COUNCIL.

Doth it please you, unto the praise and glory of the holy and undivided Trinity, Father, and Son, and Holy Ghost; for the increase and exaltation of the Christian faith and religion; for the extirpation of heresies; for the peace and union of the Church; for the reformation of the Christian clergy and people; for the depression and extinction of the enemies of the Christian name, to decree and declare that the sacred and general Council of Trent do begin, and hath begun?

They answered: It pleaseth.

INDICTION OF THE NEXT SESSION.

And whereas the celebration of the Nativity of our Lord Jesus Christ is near at hand, and other festivals of the concluding and commencing year follow thereupon, doth it please you, that the first ensuing session be held on the

[n] May 22nd.

Thursday after the Epiphany, which will be the seventh of the month of January, in the year of the Lord 1546?

They answered: It pleaseth.

SESSION THE SECOND,

Celebrated on the seventh day of the month of January, 1546.

DECREE TOUCHING THE MANNER OF LIVING, AND OTHER MATTERS TO BE OBSERVED, DURING THE COUNCIL.

The sacred and holy Synod of Trent, lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein—recognizing, with the blessed apostle James, that *Every best gift and every perfect gift is from above, coming down from the Father of lights,*[v] who, to those who *ask* of him *wisdom, giveth to all abundantly, and upbraideth them not;*[w] and at the same time knowing that *The fear of the Lord is the beginning of wisdom,*[x] hath ordained and decreed, as regards all and each of the faithful of Christ, assembled in the city of Trent, that they should be exhorted, as is [hereby] exhorted, to amend themselves of their evils and sins heretofore committed, and to walk henceforth in the fear of the Lord; not *to fulfil the lusts of the flesh;*[y] to be *instant in prayer;*[z] to confess more frequently; to receive the sacrament of the Eucharist; to visit the churches; to fulfil, in fine, as far as each one shall be able, the commandments of the Lord; and, furthermore, daily to pray in private for peace between Christian princes, and for the unity of the Church: but as regards the bishops, and all others soever constituted in the priestly order, who are together celebrating an œcumenical council in this city, that they busy themselves to apply assiduously to the praises of God, to offer up victims, praises, and prayers; to celebrate the sacrifice of the mass on each Lord's day at least, the day whereon God made the light, and rose again from the dead, and poured forth the Holy Ghost upon his disciples; *making,* as the same Holy Ghost enjoins by the

[v] i. 17. [w] i. 5. [x] Ps. cx. 10 (cxi. 10).
[y] Gal. v. 16. [z] Rom. xii. 12.

apostle, *supplications, prayers, intercessions, giving of thanks,*[a] for our most holy lord the pope, for the emperor, *for kings, and the rest who are placed in authority,* and for all men, that *we may lead a quiet and peaceable life,*[b] may enjoy peace, and see an increase of faith. Furthermore, it exhorts that they fast at least on every Friday, in memory of the passion of the Lord, and bestow alms on the poor. Furthermore, on every Thursday there shall be celebrated, in the cathedral church, the mass of the Holy Ghost, with the litanies and other prayers appointed to this end; and on the same day there shall be said, in the other churches, at least the litanies and prayers. And during the time that the sacred services are being performed, let there be no talkings or conversations together, but, with mouth and mind, association with the celebrant. And inasmuch as *It behoveth bishops to be blameless, sober, chaste, ruling well their own household,*[c] [the council] exhorts also that, above all things, each observe sobriety at table, and moderation in diet; further, that, since idle conversations are often wont to arise there, the reading of the divine Scriptures be introduced,[d] even at the tables of bishops; and let each teach and instruct his servants not to be quarrelsome, given to wine, immodest, covetous, haughty, blasphemous, and lovers of pleasures; in fine, let them shun vice and embrace virtue, and in dress, appearance, and in all their actions show forth modesty, as becomes the servants of the servants of God.

Moreover, whereas it is the chief care, solicitude, and intention of this sacred and holy council, that, the darkness of heresies, which during so many years has covered the earth, being dispelled, the light, brightness, and purity of Catholic truth may, by the aid of Jesus Christ, *who is the true light,*[e] shine forth; and that those things which need reformation may be reformed; the same synod exhorts all Catholics here assembled, and to be assembled, and especially those who are skilled in the sacred letters, that by sedulous meditation they diligently reflect within themselves, by what ways and means the intention of the synod may be best directed, and obtain the desired effect; that, in the most

[a] 1 Tim. ii. 1. [b] Ib. vs. 2.
[c] 1 Tim. iii. 2, 4, omitting "the husband of one wife."
[d] C. ii. D. xliv. (Conc. Tol. iii.). [e] John i. 5.

prompt and prudent manner, things to be condemned, may be condemned; and things to be approved, approved; that so, throughout the whole world, all may, with one mouth, and with the same confession of faith, glorify God, and the Father of our Lord Jesus Christ.

But in delivering their sentiments, when the priests of the Lord are sitting together in the place of benediction, no one, according to the statute of the Council of Toledo,[f] ought either to be boisterous by immoderate outcries, or cause disturbance by uproar; none to be contentious with false, vain, or obstinate disputations; but let whatsoever is said be so tempered by the mildest utterance of the words spoken, that neither the hearers be offended, nor the clear perception of a correct judgment warped by the mind being troubled.

Furthermore, this sacred synod has ordained and decreed, that if it should chance to happen that any do not sit in their due place, and [thus] deliver their sentiments, even under the word *It pleaseth*, are present at the congregations, and take part in any other act soever while the council lasts, none shall thereby be prejudiced, none acquire a new right.[g]

INDICTION OF THE NEXT SESSION.

After this, the next Session was indicted for Thursday, the 4th of the ensuing month of February.

SESSION THE THIRD.

Celebrated on the fourth day of the month of February, 1546.

DECREE TOUCHING THE SYMBOL OF FAITH.

In the Name of the Holy and Undivided Trinity, Father, and Son, and Holy Ghost.

This sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost—the same three legates of the Apostolic See presiding therein—considering the magnitude of the matters to be treated of, espe-

[f] C. iii. C. v. qu. 4 (Conc. Tol. xi.).
[g] Repeated in Session xxv.

cially of those which are comprised under the two heads of the extirpating of heresies, and the reforming of manners, for the sake of which chiefly it is assembled, and recognizing with the apostles, that its *wrestling is not against flesh and blood, but against the spirits of wickedness in the high places,*[h] exhorts, with the same [apostle], all and each, above all things, to *be strong in the Lord, and in the power of his might, in all things taking the shield of faith, wherewith they may be able to quench all the fiery darts of the most wicked one, and to take the helmet of salvation, with the sword of the spirit, which is the word of God.*[i] Wherefore, that this its pious solicitude may have its beginning and progress by the grace of God, it ordains and decrees that, before all other things, a confession of faith is to be set forth; following herein the examples of the Fathers, who, in the most sacred councils, have been wont, at the beginning of the transactions thereof, to oppose this shield against heresies; and with this alone, on some occasions, have they drawn the unbelieving to the faith, overthrown heretics, and confirmed the faithful. Wherefore, it has thought good, that the symbol[j] of faith which the holy Roman Church makes use of, as being that principle wherein all who profess the faith of Christ must necessarily agree, and that firm and only foundation *against which the gates of hell shall never prevail,*[k] be expressed in the very same words in which it is read in all the churches. Which [symbol] is as follows:[l] I believe in one God, the Father Almighty, maker of heaven and earth, of all things visible and invisible; and in one Lord Jesus Christ, the only-begotten Son of God, and born of the Father before all ages; God of God, light of light, very God of very God; begotten, not made, of one substance with the Father; by whom all things were made: who for us men, and for our salvation, came down from the heavens, and was incarnate by the Holy Ghost of the Virgin Mary, and was made man: crucified also for us under Pontius Pilate, he suffered and was buried; and he rose again on the third day, accord-

[h] Ephes. vi. 12. [i] Ib. v. 10, 16, 17.

[j] *I. e. tessera,* or watchword, "the object of creeds having been to distinguish true Christians from heretics and infidels."—Tomline on Art. viii. p. 183. See the instances collected by Pearson on the Creed, Præf. p. 13, sq. *note.*

[k] Matt. xvi. 18. [l] See Conc. Constant. i., c. 4.

ing to the Scriptures; and he ascended into heaven, sitteth at the right hand of the Father; and again will come with glory to judge the living and the dead; of whose kingdom there shall be no end; and in the Holy Ghost, the Lord and giver of life, who proceedeth from the Father and Son; who with the Father and the Son together is worshipped and glorified; who spoke by the prophets: and one holy Catholic and Apostolic Church. I confess one baptism for the remission of sins; and I look for the resurrection of the dead, and the life of the world to come. Amen.

INDICTION OF THE NEXT SESSION.

The same sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein,—understanding that many prelates from divers places are girt for their journey, and that some also are on their way to come hither; and considering that all that may be decreed by the said sacred synod may seem to be in so much the greater estimation and honour with all men, as it shall have been sanctioned and confirmed by a more numerous and fuller council and attendance of fathers, has resolved and decreed, that the next session after the present one be celebrated on the Thursday after *Lætare* Sunday next; but that, in the interim, the discussion and examination of those things which shall seem fit to the said synod to discuss and examine be not deferred.

SESSION THE FOURTH,

Celebrated on the eighth day of the month of April, 1546.

DECREE CONCERNING THE CANONICAL SCRIPTURES.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same three legates of the Apostolic See presiding therein,—keeping this always in view, that, errors being removed, the purity itself of the Gospel be preserved in the Church; which [Gospel], before promised through the prophets in the holy Scriptures,[m] our Lord Jesus Christ, the Son of

[m] Jerem. xxxi. 22 (qy. 33 f).

God, first promulgated with His own mouth, and then commanded to be preached[n] by His apostles to every creature, as the fountain both of every saving truth, and discipline of morals; and perceiving that this truth and discipline are contained in the written books, and the unwritten traditions which, received by the apostles from the mouth of Christ himself, or from the apostles themselves,[o] the Holy Ghost dictating, have come down even unto us, transmitted as it were from hand to hand; [the synod] following the examples of the orthodox fathers, receives and venerates with equal affection of piety, and reverence, all the books both of the Old and of the New Testament,—seeing that one God is the author of both, as also the said traditions, as well those appertaining to faith as to morals, as having been dictated, either by Christ's own word of mouth, or by the Holy Ghost, and preserved by a continuous succession in the Catholic Church. And it has thought it meet that a catalogue of the sacred books be inserted in this decree, lest doubt arise in any one's mind as to which are the books that are received by this synod. They are as set down here below: of the Old Testament: the five books of Moses, to wit, Genesis, Exodus, Leviticus, Numbers, Deuteronomy; Josuah, Judges, Ruth, four books of Kings, two of Paralipomena,[p] the first book of Esdras, and the second which is entitled Nehemias; Tobias, Judith, Esther, Job, the Davidical Psalter, [containing] a hundred and fifty psalms; the Proverbs, Ecclesiastes, the Canticle of Canticles, Wisdom, Ecclesiasticus, Isaias, Jeremias, with Baruch; Ezechiel, Daniel; the twelve minor prophets, to wit, Osea, Joel, Amos, Abdias, Jonas, Micheas, Nahum, Habacuc, Sophonias, Aggæus, Zacharias, Malachias; two books of the Machabees, the first and the second. Of the New Testament: the four Gospels, according to Matthew, Mark, Luke, and John; the Acts of the Apostles written by Luke the Evangelist; fourteen epistles of Paul the apostle, [one] to the Romans, two to the Corinthians, [one] to the Galatians, to the Ephesians, to the Philippians, to the Colossians, two to the Thessalonians, two to Timothy, [one] to Titus, to Philemon, to the

[n] Matt. xxviii. 19, sq.; Mark xvi. 15. [o] 2 Thess. ii. 14.

[p] *I. e.* chronicles; lit. "things omitted," these books forming a kind of supplement to the books of Kings.

Hebrews; two of Peter the apostle, three of John the apostle, one of the apostle James, one of Jude the apostle, and the Apocalypse of John the Apostle. But if any one receive not, as sacred and canonical, these same books entire with all their parts, as they have been used to be read in the Catholic Church, and as they are contained in the old Latin vulgate edition; and knowingly and deliberately despise the traditions aforesaid; let him be anathema.[q] Let all, therefore, understand, in what order, and in what manner, this said synod, after having laid the foundation of the confession of faith, will proceed, and what testimonies and defences it will mainly use in confirming dogmas, and in restoring morals in the Church.

DECREE CONCERNING THE EDITION AND THE USE OF THE SACRED BOOKS.

Moreover, the same sacred and holy synod, considering that no little utility may accrue to the Church of God, if, out of all the Latin editions now in circulation of the sacred books, it be known which is to be held as authentic, ordains and declares, that the said old and vulgate edition, which, by the long usage of so many ages, has been approved in the Church, be, in public lectures, disputations, preachings, and expositions, held as authentic; and that no one is to dare, or presume to reject it under any pretext soever.

Furthermore, in order to restrain petulant spirits, It decrees, that no one, relying on his own skill, shall, in matters of faith, and of morals pertaining to the edification of Christian doctrine, wresting the sacred Scripture to his own senses, dare to interpret the said sacred Scripture contrary to that sense which holy mother Church, whose it is to judge of the true sense and interpretation of the holy Scriptures, hath held and doth hold; or even contrary to the unanimous consent of the Fathers; even though suchlike interpretations were never [intended] to be at any time published.[r] They who shall contravene shall be made known by their ordinaries, and be punished with the penalties by law established.

[q] *I. e.* accursed, denoting the "absolute, irrevocable, and entire separation of a person from the communion of the faithful."—Calmet, s. v., p. 59 of my edition. See Bishop Tomline on Art. viii. p. 185, sqq. whose temperate language on this subject deserves the highest commendation.

[r] Edendæ.

And wishing also, as is just, to impose a restraint in this matter upon printers, who now, without restraint, that is, thinking that whatsoever they please is allowable, print, without the license of ecclesiastical superiors, the said books of sacred Scripture, and the annotations and expositions upon them of all persons indifferently, with the press,[s] often unnamed, often even fictitious, and what is more grievous still, without the author's name; and also indiscriminately keep for sale books of this kind printed elsewhere; [this synod] ordains and decrees, that, henceforth, the sacred Scripture, and especially the aforesaid old and vulgate edition, be printed in the most correct manner possible; and that it shall not be lawful for any one to print, or cause to be printed, any books whatever, on sacred matters, without the name of the author; nor to sell them in future, or even to keep them by them, unless they shall have been first examined, and approved of by the ordinary; under pain of the anathema and fine imposed in a canon of the last Council of Lateran.[t] And, if they be regulars, besides this manner of examination and approval, they shall be bound to obtain a license also from their own superiors, the books having been examined according to the form of their own statutes. But as to those who lend, or circulate them in manuscript, without their having been first examined and approved, they shall be subjected to the same penalties as the printers. And they who shall have them in their possession, or shall read them, shall, unless they discover the authors, be themselves regarded as the authors. And this approbation of books of this kind shall be given in writing; and to this end it shall appear authentically at the beginning of the book, whether the book be written or printed; and all this, that is, both the approbation and the examination, shall be done gratis, so that things to be approved, may be approved, and things to be condemned, condemned.

After these matters, wishing to repress that temerity, by which the words and sentences of sacred Scripture are turned and twisted to all manner of profane uses, to wit, to things scurrilous, fabulous, vain, to flatteries, detractions, superstí-

[s] *I. e.* the printer's name and residence.
[t] See c. 3, de libr. prohib. in vii., v. 4 (Leo X.).

tions, impious and diabolical incantations, divinations, casting of lots, nay, even hereafter defamatory libels; [the synod] commands and enjoins, for the doing away with this kind of irreverence and contempt, and that no one may hereafter dare in any manner to apply the words of sacred Scripture to these and such like purposes; that all men of this description, profaners and violators of the word of God, be restrained by the bishops by the penalties of law and of their own appointment.

INDICTION OF THE NEXT SESSION.

Likewise, this sacred and holy synod resolves and decrees, that the next ensuing session be held and celebrated on the Thursday after the next most sacred festival of Pentecost.

SESSION THE FIFTH.

Celebrated on the seventeenth day of the month of June, 1546.

DECREE CONCERNING ORIGINAL SIN.

That our Catholic *faith, without which it is impossible to please God,*[u] may, errors being cleared away, continue in its own perfect and undefiled integrity, and that the Christian people may not *be carried about with every wind of doctrine;*[v] whereas that old serpent,[w] the perpetual enemy of the human race, amongst the very many evils by which the Church of God is in these our times disturbed, has also stirred up not only new, but even old dissensions touching original sin, and the remedy thereof; the sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the three same legates of the Apostolic See presiding therein,—wishing now to come to the recalling of the erring, and the confirming of the wavering, following the testimonies of the sacred Scriptures, and of the holy fathers, and of the most approved councils, and the judgment and consent of the Church itself, ordains, confesses, and declares these things touching the said original sin:—

1. If any one does not confess that the first man, Adam, when he had transgressed the commandment of God in Para-

[u] Heb. xi. 6. [v] Ephes. iv. 14. [w] Gen. ii.

dise, immediately lost the holiness and justice in which he had been constituted; and that he incurred, through the offence of such prevarication, the wrath and indignation of God, and consequently death, which God had previously threatened to him,[x] and, together with death, captivity under the power of him who thenceforth *had the empire of death, that is to say, the devil,*[y] and that the entire Adam, through that offence of prevarication, was changed as respects the body and soul, for the worse; let him be anathema.

2. If any one asserts, that the prevarication of Adam injured himself alone, and not his posterity; and that he lost for himself alone, and not for us also, the holiness and justice, received of God, which he lost; or that he, defiled by the sin of disobedience, has only transfused death, and pains of the body, into the whole human race, but not sin also, which is the death of the soul, let him be anathema; inasmuch as he contradicts the apostle, who says: *By one man sin entered into the world, and by sin death, and so death passed upon all men, in whom all have sinned.*[z]

3. If any one asserts that this sin of Adam, which in its origin is one, and being transfused into all by propagation, not by imitation, is in each one as his own, is taken away either by the powers of human nature, or by any other remedy than the merit of the *one mediator, our Lord Jesus Christ,*[a] *who hath reconciled us to God in his own blood, made unto us righteousness, sanctification, and redemption;*[b] or, if he denies that the same merit of Jesus Christ is applied, both to adults and to infants, by the sacrament of baptism rightly administered in the form of the Church; let him be anathema: *For there is no other name under heaven given to men, whereby we must be saved.*[c] Whence that voice: *Behold the Lamb of God, behold him who taketh away the sins of the world;*[d] and that other,—*As many of you as have been baptized have put on Christ.*[e]

4. If any one denies that infants, newly born from their mothers' wombs, even though they be sprung from baptized parents, are to be baptized; or says that they are *baptized*

[x] Gen. ii. 17; iii. 17. [y] Heb. ii. 14. [z] Rom. v. 12.
[a] Ephes. ii. 13; Coloss. ii. 13; 1 Tim. ii. 5, sq. [b] 1 Cor. i. 30.
[c] Acts iv. 12. [d] John i. 29. [e] Gal. iii. 27.

indeed *for the remission of sins*,[e] but that they draw nought of original sin from Adam, which has need to be expiated by the *laver of regeneration*,[f] for the obtaining life everlasting,—whence it follows, as a consequence, that in them the form of baptism, *for the remission of sins*, is understood to be not true, but false,—let him be anathema. For that which the apostle has said, *By one man sin entered into the world, and by sin death, and so death passed upon all men in whom all have sinned*,[g] is not to be understood otherwise than as the Catholic Church spread everywhere hath always understood it. For, by reason of this rule of faith, from a tradition of the apostles, even infants, who could not as yet in themselves commit any sin, are for this cause truly *baptized for the remission of sins*, that in them that which they have contracted by generation, may be cleansed away by regeneration. *For, unless a man be born again of water and the Holy Ghost, he cannot enter into the kingdom of God*.[h]

5. If any one denies, that, by the grace of our Lord Jesus Christ, which is conferred in baptism, the guilt of original sin is remitted ; or even asserts that all that which has the true and proper nature of sin is not taken away, but says that it is only erased,[i] or not imputed,—let him be anathema. For, in those who are *born again*, God hates nothing, because, *There is no condemnation to those who are* truly *buried together with Christ by baptism into death*;[j] *who walk not according to the flesh*, but, *putting off the old man, and putting on the new one, who is created according to God*,[k] are made innocent, immaculate, pure, harmless, and beloved of God, *heirs indeed of God, but joint heirs with Christ*;[l] so that there is nothing whatever to retard them from entrance into heaven. But this holy synod confesses and is sensible, that in the baptized there remains concupiscence, or an incentive [to sin];[m] which, since it is left for us to strive against, cannot injure those who consent not, but resist manfully by the

[e] Acts ii. 38. [f] See Tit. iii. 5. [g] Rom. v. 12. [h] John iii. 5.

[i] Radi, *to be scratched out*, a metaphor taken from the ancient mode of writing, in which the flat end of the style rubbed out the marks which the sharp end had made upon a waxen tablet.

[j] Rom. viii. 1 ; vi. 4. [k] Ephes. iv. 22, 24. [l] Rom. viii. 17.

[m] *Vel fomitem*. I cannot help thinking this a mistake for "velut fomitem."

grace of Jesus Christ; yea, he who shall have *striven lawfully shall be crowned.*[n] This concupiscence, which the apostle sometimes calls sin,[o] the holy synod declares that the Catholic Church has never understood to be called sin, as being truly and properly sin in those *born again*, but because it is of sin, and inclines to sin. And if any one is of a contrary opinion, let him be anathema.

This same holy synod doth nevertheless declare, that it is not in its intention to include in this decree, where original sin is treated of, the blessed and immaculate Virgin Mary, the mother of God; but that the constitutions of Pope Sixtus IV.,[p] of happy memory, are to be observed, under the pains contained in the said constitutions, which it renews.

DECREE CONCERNING REFORMATION.

CHAPTER I.

On the Institution of a Lectureship of Sacred Scripture, and of the Liberal Arts.[q]

The same sacred and holy synod, adhering to the pious constitutions of the sovereign pontiffs, and of approved councils, and embracing and adding to them; that the heavenly treasure of the sacred books, which the Holy Ghost has with the greatest liberality delivered unto men, may not lie neglected, hath ordained and decreed, that, in those churches where there is found to be a prebend, prestimony,[r] or other stipend, under what name soever, destined for readers[s] in sacred theology, the bishops, archbishops, primates, and other ordinaries of those places, shall force and compel, even by the subtraction of the fruits, those who hold

[n] 2 Tim. ii. 5.
[o] Rom. vi. 12; vii. 8.
[p] Comp. Sess. vi. can. xxiii.
[q] Cf. Sess. xxiii. § 18, etc.
[r] This word probably means "a fund, or revenue, appropriated by the founder for the subsistence of a priest, without being erected into any title of benefice, chapel, prebend, or priory, and which is not subject either to the pope or to the ordinary, but whereof the patron, and those who have a right from him, are the collators, and nominate and confer *pleno jure*."—Encycl. Brit. v. xvii. p. 349. Hoffman, Lex. t. iii. p. 879, defines it — "beneficium cum aliquo onere," referring to Council of Trent, Sess. xxiii. 18. See Du Cange, vol. v. p. 781.
[s] *I. e.* lecturers. So at Oxford we have "readers" of rhetoric, anatomy, &c.

such prebend, prestimony, or stipend, unto the expounding and interpreting of the said sacred Scripture, either personally, if they be competent, or otherwise by a competent substitute, to be chosen by the said bishops, archbishops, primates, and other ordinaries of those places. But, for the future, let no such prebend, prestimony, or stipend be bestowed save on competent persons, and those who can of themselves fulfil that office; and let the provision made otherwise be null and void. But in metropolitan, or cathedral churches, if the city be distinguished or populous, and also in collegiate churches situated in any large town, even though they belong to no diocese, provided the clergy be numerous there; wherein there is no such prebend, prestimony, or stipend, set aside for this purpose, let the prebend that shall first become vacant in any way soever, except by reason of resignation, and to which some other incompatible burthen is not attached, be understood to be *ipso facto* appointed and set apart to that purpose for ever. And in case that in the said churches there should not be any, or not any sufficient prebend, let the metropolitan, or the bishop himself, by the assigning thereunto of the fruits of some simple benefice, the burthen of the obligations thereto belonging being nevertheless discharged, or by the contributions of the beneficiaries of his city and diocese, or otherwise, as may be most convenient, provide in such wise, with the advice of his chapter, as that the said reading of sacred Scripture be held; yet so that what other readings soever there may be, whether established by custom, or in any other way, be not by any means therefore omitted. As to those churches, however, whose annual revenues may be slight, and where the number of the clergy and laity is so small, that a readership of theology cannot be conveniently held therein, let them at least have a master, to be chosen by the bishop, with the advice of the chapter, to teach grammar gratuitously to clerks, and other poor scholars, that so they may afterwards, with God's permission, pass on to the said study of sacred Scripture itself. And to this end, either let there be assigned to that master of grammar the fruits of some simple benefice, which he may receive so long as he continues teaching (provided, however, that the said benefice be not deprived of the duty due to it), or let some suitable remuneration be paid

him out of the episcopal or capitular income; or, in fine, let the bishop himself devise some other method suited to his church and diocese; that so this pious, useful, and profitable provision may not, under any colourable pretext soever, be neglected. In the monasteries also of monks, where it can be conveniently done, let there be in like manner, a lecture on sacred Scripture, wherein if the abbots be negligent, let the bishops of the places, as the delegates herein of the Apostolic See, compel them thereto by fitting remedies. And in the convents of other regulars, in which studies can conveniently flourish, let there in like manner be a readership of sacred Scripture; which readership shall be assigned by the general or provincial chapters, to the more worthy masters. In the public colleges also, wherein a readership so honourable, and the most necessary of all, has not hitherto been instituted, let it be established by the piety and charity of the most religious princes and states, for the defence and increase of the Catholic faith, and the preservation and propagation of sound doctrine; and where it has been [once instituted, and has been neglected, let it be restored. And, lest impiety be disseminated under the semblance of piety, the same holy synod ordains, that no one be admitted to this office of reading, whether in public or in private, who has not been previously examined and approved of by the bishop of the place, as to his life, conversation, and knowledge; which, however, is not to be understood of lecturers in convents of monks. But those who are teaching the said sacred Scripture, as long as they publicly teach in the schools, as also the scholars who are studying in those schools, shall fully rejoice in and enjoy, though absent,[a] all the privileges accorded by common law, as regards the reception of the fruits of their prebends and benefices.

CHAPTER II.

On Preachers of the Word of God, and on Questors of Alms.

But whereas the preaching of the Gospel is no less necessary to the Christian commonwealth than the reading thereof; and whereas this is the chief duty of bishops; the

[a] In absentia.

same holy synod hath resolved and decreed, that all bishops, archbishops, primates, and all other prelates of the churches be bound personally, if they be not lawfully hindered, to preach the holy Gospel of Jesus Christ. But if it should happen that the bishops and others aforesaid, be hindered by lawful impediment, they shall be bound, according to the form prescribed by the general council,[t] to appoint fit men to discharge wholesomely this office of preaching. But if any one disdain to execute this, let him be subjected to strict punishment.

Archpriests also, curates, and all those who in any manner soever hold any parochial or other churches, which have the cure of souls, shall, at least on the Lord's days and solemn feasts, either personally, or, if they be lawfully hindered, by others who are competent, feed the people committed to them, with wholesome words, according to their own capacity, and that of their [congregations]; by teaching the things which it is necessary for all to know unto salvation, and by announcing to them with briefness and simplicity of discourse the vices which they must needs avoid, and the virtues which they must follow after, that they may escape everlasting punishment, and obtain the glory of heaven. And if any one of them neglect to discharge this duty, even though he may plead, on whatsoever ground, that he is exempt from the jurisdiction of the bishop, and even though the churches may be, in what manner soever, said to be exempted, or perhaps annexed or united to a monastery that is even out of the diocese, let not the watchful pastoral care of the bishops be wanting, provided [those churches] really be within their diocese; lest that word be fulfilled; *The young children have asked for bread, and there was none to break it unto them.*[u] Wherefore, if, after having been admonished by the bishop, they shall neglect this their duty for the space of three months, let them be compelled by ecclesiastical censures, or otherwise, according to the discretion of the said bishop; in such wise that even, if this seem to him expedient, some fair remuneration be paid, out of the fruits of the benefices, to another

[t] Of Lateran. See c. 15, x. de off. jud. ord. i. 31 (Conc. Lat. IV.).
[u] Lament. iv. 4.

person to discharge that office, until the principal himself, coming to his right senses, shall fulfil his own duty. But should there be found to be any parochial churches, subject to monasteries which are in no diocese, if the abbots and regular prelates be negligent in the matters aforesaid, let them be compelled thereto by the metropolitans, in whose provinces the said dioceses are situated, as the delegates to that end of the Apostolic See; nor let custom, or exemption, or appeal, or reclamation, or action of recovery, have power to impede the execution of this decree; until by a competent judge, who shall proceed summarily, and by examining only into the truth of the fact, the case shall have been taken cognizance of, and decided. But regulars, of what order soever, may not preach even in the churches of their own order, unless they have been examined and approved of concerning their life, manners, and knowledge, by their own superiors, and with their license; with which license they shall be bound to present themselves personally before the bishops, and crave a blessing from them, before they begin to preach. But, in churches which are not those of their own orders, besides the license of their own superiors, they shall be obliged to have also the license of the bishop, without which they may not on any account preach in the said churches which belong not to their own orders. But the said license the bishops shall grant gratuitously. But if, which heaven avert, a preacher should spread errors, or scandals, amongst the people, even though he preach in a monastery of his own, or of another order, let the bishop interdict his preaching. But if he preach heresies, let him proceed against him according to the appointment of the law, or the custom of the place, even though the said preacher should plead that he is exempted by a general or special privilege: in which case the bishop shall proceed by apostolic authority, and as the delegate of the Apostolic See. But let bishops be careful, that no preacher be harassed, either by false accusations, or in any other way calumniously; or have any just cause of complaint against them. Furthermore, let bishops be on their guard not to permit any one, whether of those, who, being regulars in name, live nevertheless out of their cloisters, and the obedience of their religious rules, or secular priests,

unless they be known to them, and are approved in morals and doctrine, to preach in their own city or diocese, even under the pretext of any privilege soever; until the holy Apostolic See has been thereon consulted by the said bishops; from which [see] it is not likely that such privileges can be extorted by unworthy persons, except by suppressing the truth, or by uttering falsehood. Those who quest for alms, who are also commonly called Questors, of whatsoever condition they be, shall not in any way presume, either of themselves, or by another, to preach; and those who act contrarily shall, any privileges notwithstanding, be wholly restrained by opportune remedies, by the bishops and ordinaries of the places.

INDICTION OF THE NEXT SESSION.

The sacred and holy synod also ordains and decrees, that the first ensuing session be held and celebrated on the Thursday after the feast of the blessed apostle James.

The session was afterwards prorogued to the thirteenth day of the month of January, 1547.

SESSION THE SIXTH,

Celebrated on the thirteenth day of the month of January, 1547.

DECREE CONCERNING JUSTIFICATION.

Preface.

Whereas there is, at this time, not without the casting away of many souls, and grievous detriment to the unity of the Church, a certain erroneous doctrine disseminated concerning Justification; with a view to the praise and glory of Almighty God, the tranquillizing of the Church, and the salvation of souls, the sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the most reverend lords, the lords Giammaria del Monte, bishop of Palæstrina, and Marcellus of the title of the Holy Cross in Jerusalem, priest, cardinals of the holy Romish Church, and legates apostolic *a latere*, presiding therein, in the name of our most holy father and lord in Christ, Paul III., by the providence of God, Pope,—pur-

poses to expound to all the faithful of Christ the true and sound doctrine of the said Justification; which the sun of righteousness,[v] Jesus Christ, *the author and finisher of our faith*[w] taught, the apostles transmitted, and the Catholic Church, the Holy Ghost reminding her thereof,[x] has continually retained; most strictly forbidding that any henceforth presume to believe, preach, or teach, otherwise than as by the present decree is ordained and declared.

CHAPTER I.

On the Inability of Nature and of the Law to justify Man.

The holy synod declares first, that, for the correct and sound understanding of the doctrine of Justification, it behoves that each one recognize and confess, that, whereas all men had lost their innocence in the prevarication of Adam,[y] having become unclean,[z] and, as the apostle says, *by nature the children of wrath*,[a] as [this synod] has set forth in the decree on original sin, they were so far *the servants of sin*,[b] and under the power of the devil and of death, that not only the Gentiles by the force of nature, but not even the Jews by the very letter itself of the law of Moses, were able to be liberated, or to arise, from thence; although in them free will, attenuated and bent down as it was in its powers, was by no means extinguished.

CHAPTER II.

Touching the Dispensation and Mystery of the Advent of Christ.

Through the which it came to pass, that the heavenly Father, *the Father of mercies and the God of all comfort*,[c] when that blessed *fulness of the time was come*,[d] *sent* unto men Jesus Christ, His own Son, who had been, both before the Law, and during the time of the Law, declared and promised to many of the holy fathers, that He might both redeem the Jews who were under the Law,[e] and that *the*

[v] Malach. iv. 2.
[w] Heb. xii. 2.
[x] John xiv. 26.
[y] Rom. v. 12; 1 Cor. xv. 22.
[z] Is. lxiv. 6.
[a] Ephes. ii. 3.
[b] Rom. vi. 17.
[c] 2 Cor. i. 3.
[d] Gal. iv. 4.
[e] See Gal. v. 4.

Gentiles, who followed not after justice,[f] might attain to justice, and that all might receive the adoption of sons. Him hath God set forth *as a propitiator, through faith in his blood,*[g] *for our sins; and not for our sins only, but also for those of the whole world.*[h]

CHAPTER III.

Who are justified through Christ.

But, though *He died for all,*[i] yet do not all receive the benefit of His death; but those only, unto whom the merit of His passion is communicated. For as in truth men, if they were not born propagated from the seed of Adam, would not be born unjust; whereas, by that propagation, they contract through the same [Adam] when they are conceived, injustice as their own; so, if they were not born again in Christ, they would never be justified; seeing that in that new birth there is bestowed upon them, through the merit of His passion, the grace whereby they are made just. For this benefit the apostle exhorts us evermore *to give thanks to the Father, who hath made us meet to be partakers of the inheritance of the saints in light, and hath delivered us from the power of darkness, and hath translated us into the kingdom of the Son of his love, in whom we have redemption, and remission of sins.*[j]

CHAPTER IV.

A Description is interwoven[k] *of the Justification of the Impious, and of the Manner thereof under the State of Grace.*

By which words a description of the Justification of the impious is interwoven, to the effect that it is a translation from that state in which man is born a child of the first Adam, into the state of grace, and of *the adoption of the sons of God,*[l] through the second Adam, Jesus Christ, our Saviour. And this translation, since the Gospel has been promulgated, cannot be effected, without the *laver of regeneration,*[m] or the desire thereof, as it is written; *Unless a man be born again of*

[f] Rom. ix. 30. [g] Rom. iii. 25. [h] 1 John ii. 2.
[i] 2 Cor. v. 15. [j] Coloss. i. 12-14.
[k] Introduced by way of digression or comment. [l] Rom. v. 23.
[m] Tit. iii. 5.

water and of the Holy Ghost, he cannot enter into the kingdom of God.[n]

CHAPTER V.

On the Necessity of Preparation for Justification, in the case of Adults, and whence it proceeds.

[This synod] furthermore declares, that, in adults, the beginning of the said Justification is to be taken from the preventing[o] grace of God, through Jesus Christ, that is to say, from His vocation, by which, without the existence of any merits on their parts, they are called; that so they, who through sins were turned away from God, may, through His quickening and assisting grace, be disposed to turn themselves unto their own justification, by freely assenting to, and co-operating with that said grace: so that, while God toucheth the heart of man by the illumination of the Holy Ghost, neither is man himself utterly inactive while he receives that inspiration, inasmuch as he is also able to reject it; yet is he not able, without the grace of God, by his own free will to move himself unto justice in His sight. Whence, when it is said in the sacred writings: *Turn ye unto me, and I will turn unto you,*[p] we are admonished of our liberty: when we answer; *Turn thou us, O Lord, unto thee, and we shall be turned,*[q] we confess that we are prevented by the grace of God.

CHAPTER VI.

The Manner of Preparation.

Now they are disposed unto the said justice, when, quickened, and assisted by divine grace, conceiving *faith by hearing,*[r] they are freely moved towards God, believing those things to be true which have been divinely revealed and promised, and this especially, that the impious is justified of God *by His grace, through the redemption that is in Christ Jesus;*[s] and when, understanding themselves to be sinners, they, through the fear of divine justice, whereby they are profitably agitated by turning themselves to consider the mercy of God, are raised unto hope, trusting that God will be propitious to

[n] John iii. 5.

[o] *I. e.* the grace of God *going before.* This is an old use of the verb "prevent," used as a translation of *prævenire.*

[p] Zach. i. 3. [q] Lam. v. 21. [r] Rom. x. 17. [s] Rom. iii. 24.

them for Christ's sake; and they begin to love Him as the fountain of all justice; and are for that reason moved against sins by a certain hatred and detestation, that is to say, by that penitence[t] which must be performed before baptism: lastly, when they propose to receive baptism, to begin a new life, and to keep the divine commandments. Concerning this disposition it is written, *He that cometh to God, must believe that he is, and is a rewarder to them that seek him;*[u] and, *Be of good cheer, son, thy sins be forgiven thee;*[v] and, *The fear of the Lord driveth away sin;*[w] and, *Do penance, and be baptized, every one of you in the name of Jesus Christ, for the remission of your sins, and you shall receive the gift of the Holy Ghost;*[x] and, *Going, therefore, teach ye all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost;*[y] finally, *Prepare your hearts unto the Lord.*[z]

CHAPTER VII.

What is the Justification of the Impious, and what are its Causes.

This disposition, or preparation, justification itself follows, which is not merely the remission of sins, but also the sanctification and renewal of the inward man, through the voluntary reception of the grace and gifts, whereby man from unjust becomes just, and from an enemy a friend, that so he may be *an heir according to the hope of eternal life.*[a]

Of this justification the causes are these: the final [cause] indeed is the glory of God and of Christ, and eternal life; while the efficient cause is the merciful God, who gratuitously *washes and sanctifies,*[b] *sealing,* and anointing *with* the holy *Spirit of promise, who is the earnest of our inheritance;*[c] but the meritorious cause is His most beloved only-begotten, our Lord Jesus Christ, who, when we were *enemies,*[d] *for the great charity wherewith he loved us,*[e] merited justification for us by His most holy Passion on the wood of the cross, and for us made satisfaction unto God the Father; the instru-

[t] Cf. Sess. xiv. 4.
[u] Heb. xi. 6.
[v] Matt. ix. 5.
[w] Eccl. i. 21 (Apocrypha).
[x] Acts ii. 38. The "do penance" (pœnitentiam agite) is the Romanish translation of μετανοήσατε, which properly signifies "change your hearts, repent."
[y] Matt. xxviii. 19.
[z] 1 Sam. vii. 3.
[a] Titus iii. 7.
[b] 1 Cor. vi. 11.
[c] Ephes. i. 13, 14.
[d] Rom. v. 10.
[e] Ephes. ii. 4.

mental cause, moreover, is the sacrament of baptism, which is the sacrament of faith, without which justification never befel any man; lastly, the sole formal cause is the justice of God; not that by which He himself is just, but that by which He maketh us just, that, to wit, with which *we*, being endowed by Him, *are renewed in the spirit of our mind*,[f] and we are not only reputed, but are truly called, and are, just, receiving justice within us, each one according to his own measure, *which the Holy Ghost divides to every man severally as He will*,[g] and according to each one's proper disposition and co-operation. For, although no one can be just, but he to whom the merits of the Passion of our Lord Jesus Christ are communicated, yet is this brought to pass in this justification of the impious, when, by the merit of that same most holy Passion, *the charity of God is shed abroad*, by the Holy Ghost, *in the hearts*[h] of those who are justified, and is inherent in them; whence man, in the said justification through Jesus Christ, into whom he is ingrafted, receives, together with the remission of sins, all these things infused at once, faith, hope, and charity. For faith, unless to it be added hope and charity, neither unites [man] perfectly with Christ, nor makes him a living member of His body. For which reason it is most truly said, that *Faith without works is dead*,[i] and idle; and *In Christ Jesus neither circumcision availeth anything, nor uncircumcision, but faith which worketh by charity*.[j] This faith catechumens beg of the Church, agreeably to a tradition of the apostles, previously to the sacrament of baptism; when they beg for the faith which bestoweth life everlasting, which, without hope and charity, faith cannot bestow. Whence also do they straightway hear that word of Christ: *If thou wilt enter into life, keep the commandments*.[k] Wherefore, when receiving true and Christian justice, they, immediately on being born again, are commanded to preserve it pure and spotless, as *the first robe*,[l] given unto them through Jesus Christ, instead of that which Adam, by his disobedience, lost for himself and for us, that so they may bear it before the tribunal of our Lord Jesus Christ, and may have life everlasting.

[f] Ephes. iv. 23.
[g] 1 Cor. xii. 11.
[h] Rom. v. 5.
[i] James ii. 20.
[j] Galat. v. 6; vi. 15.
[k] Matt. xix. 17.
[l] Luke xv. 22.

CHAPTER VIII.

In what Manner it must be understood that the Impious is Justified by Faith, and freely.

But whereas the Apostle saith, that man is *justified by faith*, and *freely*,[m] those words are to be understood in that sense which the perpetual consent of the Catholic Church hath held and expressed; to wit, that we be therefore said to be *justified by faith*, because faith is the beginning of human salvation, the foundation, and the root of all justification; *without which it is impossible to please God*,[n] and to come unto the fellowship of His sons; but we are therefore said to be justified *freely*, because none of those things which precede justification, whether faith or works, merit the grace itself of justification. For, *if it be a grace, then is it no more by works, otherwise*, as the same Apostle saith, *grace is no more grace*.[o]

CHAPTER IX.

Against the Vain Confidence of Heretics.

But, although it be necessary to believe that sins neither are remitted, nor ever have been remitted, save *freely*, by the divine mercy for Christ's sake; yet is it not to be said, that sins are forgiven, or have been forgiven, to any one who boasts of his confidence and certainty of the remission of his sins, and rests on that alone; since it may exist, yea, does in our time exist, among heretics and schismatics; and with great earnestness is this confidence, vain, and remote from all piety, preached up in opposition to the Catholic Church. But, neither is this to be asserted,—that it behoves them who are truly justified, without any doubting whatever, to settle within themselves that they are justified, and that no one is absolved from sins and justified, but he who for certain believes that he is absolved and justified; and that absolution and justification are effected by this faith alone; as though whosoever believeth not this, doubts respecting the promises of God, and the efficacy of the death and resurrection of Christ. For, as no pious person ought to doubt respecting the mercy of God, the merit of Christ, and the virtue and

[m] Rom. iii. 24, 28. [n] Heb. xi. 6. [o] Rom. xi. 6.

efficacy of the sacraments, so each one, when he regards himself, and his own peculiar weakness and indisposition, may entertain fear and apprehension concerning his own grace; inasmuch as no one can know with a certainty of faith, which cannot be subject to mistake, that he has obtained the grace of God.

CHAPTER X.

On the Increase of Justification received.

Having, therefore, been thus justified, and made the friends and *of the household of God*,[p] advancing *from strength to strength*,[q] they are *renewed*, as the Apostle says, *day by day*;[r] that is, *by mortifying the members*[s] of their own flesh, and by *yielding them as instruments of righteousness unto holiness*,[t] they, through the observance of the commandments of God and of the Church, faith co-operating with good works, increase in the justice received through the grace of Christ, and are still more justified, as is written,—*He that is righteous, let him be made righteous still*;[u] and again, *Be not afraid to be justified even to death*;[v] and also, *Ye see how that by works a man is justified, and not by faith only*.[w] And this increase of justification, the Holy Church begs, when she prays, "Give unto us, O Lord, increase of faith, hope, and charity."[x]

CHAPTER XI.

On the Keeping of the Commandments, and on the Necessity and Possibility thereof.

But no one, how much soever justified, ought to think himself free from the observance of the commandments; no one ought to make use of that rash saying, prohibited by the fathers under an anathema; that the commandments of God are impossible for one that is justified to observe. For God commands not impossibilities, but, by commanding, admonishes thee both to do what thou art able, and to pray for what thou art not able,[y] and aids thee that thou mayest be

[p] Ephes. ii. 19. [q] Ps. lxxxiii. 8 (lxxxiv. 7). [r] 2 Cor. iv. 16.
[s] Coloss. iii. 5. [t] Rom. vi. 13, 19. [u] Apoc. xxii. 11.
[v] Eccl. xviii. 22. "Defer not until death to be justified."
[w] James ii. 24. [x] Dom. 13 post Pentecost.
[y] See St. Aug. de Nat. et Gr. c. 43.

able; *whose commandments are not grievous;*[z] *whose yoke is sweet and whose burden light.*[a] For whosoever are the sons of God, love Christ; but *they who love him*, as Himself doth testify, *keep his commandments;*[b] which, assuredly, with the divine assistance, they can do. For, although in this mortal life, men, how holy and just soever, at times fall into at least light and daily sins, which are also called venial; yet they do not therefore cease to be just. For that cry of the just, *Forgive us our trespasses*,[c] is both humble and true; whence it happens, the just themselves ought to feel themselves the more obliged to walk in the way of justice, in that, *being* already *freed from sins, but made servants* unto God,[d] they are able, *living soberly, righteously, and godly*,[e] to proceed onwards *through Jesus Christ, by whom they have had access unto that grace.*[f] For God deserts not those who have been once justified by His grace, unless he be first deserted by them. Wherefore, no one ought to flatter himself upon faith alone, deeming that by faith alone he is made an heir, and will obtain the inheritance, even though *he suffer* not *with Christ, that* so *he may be also glorified together* [*with him*].[g] For even *Christ* Himself, as the Apostle saith, *though he was the son* of God, *learned obedience by the things which he suffered, and being made perfect,*[h] *he became the cause of eternal salvation unto all who obey him.*[i] For which reason the same Apostle admonishes the justified, saying: *Know ye not that they which run in the race, run all indeed, but one receiveth the prize? So run, that ye may obtain. I therefore so run, not as uncertainly: so fight I, not as one that beateth the air; but I chastise my body, and bring it into subjection; lest that by any means, when I have preached to others, I myself should become a cast-away.*[j] So also the prince of the apostles, Peter: *The rather give diligence, that by good works ye may make sure your calling and election. For if ye do these things, you shall not sin at any time.*[k] Whence it is certain, that those who are opposed to the orthodox doctrine of religion,[l] who say that the just man sins, venially at least, in every

[z] 1 John v. 3. [a] Matt. xi. 30. [b] John xiv. 15.
[c] Literally, "debts;" Matt. vi. 12. [d] Rom. vi. 18.
[e] Titus ii. 12. [f] Rom. v. 2. [g] Rom. viii. 17.
[h] Consummatus. [i] Heb. v. 8, 9. [j] 1 Cor. ix. 24, 26, 27.
[k] 2 Peter i. 10. [l] See below, Canon 25.

good work: or, which is still more insupportable, that he merits eternal punishments; as also those who state,[m] that the just sin in all their works, if in those [works] they, in order to stimulate their own sloth, and to encourage themselves *to run in the course*, besides this chief aim, that God be glorified, regard also the eternal reward; whereas it is written, *I have inclined my heart to do all thy justifications for the reward*:[n] and, concerning Moses, the Apostle saith, that *he had respect unto the reward*.[o]

CHAPTER XII.

That a Rash Presumption in regard to Predestination is to be avoided.

No one, moreover, so long as he exists in this mortal state, ought so far to presume concerning the secret mystery of divine predestination, as to determine for certain that he is assuredly in the number of the predestinated; as if it were true, that he who is justified, either cannot sin any more, or if he do sin, that he ought to promise himself a certain repentance; for except by a special revelation, it cannot be known whom God hath chosen unto Himself.

CHAPTER XIII.

Touching the Gift of Perseverance.

In like manner touching the gift of perseverance, of which it is written, *He that shall endure to the end, he shall be saved*,[p]—which [gift] cannot indeed be obtained from any other save Him, who is able to establish him who standeth,[q] that he stand perseveringly, and to restore him who falleth:—let no one promise himself anything as certain with absolute certainty; though all ought to place and repose the most firm hope in God's help. For God, unless men themselves be wanting to His grace, *as he has begun the good work, so will he perfect it, working* [in them] *to will and to do*.[r] Nevertheless, let those who *think they stand, take heed lest they fall*,[s] and, *with fear and trembling work out their salva-*

[m] See Canon 31.

[n] Ps. cxviii. 112 ("to perform thy statutes alway, *even unto* the end," cxix. 112).

[o] Heb. xi. 26.

[p] Matt. xxiv. 13.

[q] See Rom. xiv. 4.

[r] Philipp. i. 6; ii. 13.

[s] 1 Cor. x. 12.

tion,[t] in labours, in watchings, in almsgivings, in prayers and oblations, in fastings and in chastity. For, knowing that they are born again unto a hope of glory,[u] and not as yet unto glory, they ought to fear for the combat which remains, with the flesh, with the world, with the devil, wherein they cannot be victors, unless they, with God's grace, obey the apostle, who says; *We are debtors, not to the flesh, to live after the flesh; for if ye live after the flesh, ye shall die; but if ye through the spirit do mortify the deeds of the flesh, ye shall live.*[v]

CHAPTER XIV.

On the Fallen, and their Restoration.

But those who through sin have fallen away from the received grace of justification, may again be justified, when, God exciting them, through the sacrament of penance, they, by the merit of Christ, shall have obtained the recovery of the grace lost. For this manner of justification is unto the fallen the reparation, which the holy fathers have aptly called a second plank after the shipwreck of grace lost.[w] For, on behalf of those who after baptism fall into sins, Christ Jesus instituted the sacrament of penance, when He said, *Receive ye the Holy Ghost; whosesoever sins ye shall remit, they are remitted unto them, and whosesoever sins ye shall retain, they are retained.*[x] Whence it is to be taught, that the penitence of a Christian man after his fall, is very different from that at his baptism; and that therein are included not only a cessation from sins, and a detestation thereof, or, *a contrite and humble heart*,[y] but also the sacramental confession of the same sins, at least in desire, and to be made in its season, and sacerdotal absolution; and likewise satisfaction by fasts, almsgivings, prayers, and the other pious exercises of a spiritual life; not indeed for the eternal punishment, which is, together with the guilt, remitted, either by the sacrament, or by the desire of the sacrament; but for the temporal punishment, which, as the sacred writings teach, is not always wholly remitted, as is done in baptism, unto those who, ungrateful to the grace of God which they have re-

[t] Philipp. ii. 12.
[u] Cf. 1 Peter i. 3.
[v] Rom. viii. 12, 13.
[w] See Hieron. Ep. ad Demetr.
[x] John xx. 22, 23.
[y] Ps. l. 19 (li. 17).

ceived, have *grieved the Holy Spirit*,[a] and have not feared *to defile the temple of God*.[a] Concerning which penitence it is written: *Remember from whence thou art fallen; do penance, and do the first works*.[b] And again: *The sorrow that is according to God worketh penance steadfast unto salvation*.[c] And again: *Do penance, and bring forth fruits worthy of penance*.[d]

CHAPTER XV.

That, by every Mortal Sin, Grace is lost, but not Faith.

In opposition also to the cunning wits of certain men, who, *by good works and fair speeches, deceive the hearts of the innocent*,[e] it is to be maintained, that the received grace of justification is lost, not only by infidelity, in which even faith itself is lost, but also by any other mortal sin soever, though faith be not lost; thereby defending the doctrine of the divine law, which excludes from the kingdom of God not only the unbelieving, but also the faithful who are *fornicators, adulterers, effeminate, abusers of themselves with mankind, thieves, covetous, drunkards, revilers, extortioners*,[f] and all others who commit deadly sins; from which, with the help of divine grace, they are able to refrain, and on account of which they are separated from the grace of Christ.

CHAPTER XVI.

On the Fruit of Justification, that is, on the Merit of Good Works and on the Manner of that same Merit.

Unto men, therefore, who have been justified after this manner, whether they have preserved uninterruptedly the grace received, or have recovered it when lost, are to be set the words of the Apostle: *Abound in every good work, knowing that your labour is not in vain in the Lord*;[g] *for God is not unrighteous to forget your work, and the love which ye have showed in his name*;[h] and, *cast not away your confidence,*

[a] Ephes. iv. 30. [e] 1 Cor. iii. 17.
[b] Apoc. ii. 5, "repent and do," &c.
[c] "Worketh *repentance*," 2 Cor. vii. 10.
[d] Matt. iii. 2; Luke iii. 8, with the customary mistranslation of μετανοήσατε. [e] Rom. xvi. 18.
[f] 1 Cor. vi. 9, 10. [g] 1 Cor. xv. 58. [h] Heb. vi. 10.

which hath a great recompense.[i] And, for this cause, unto them who work well *unto the end,*[j] and hoping in God, life eternal is to be proposed, both as a grace mercifully promised to the sons of God through Jesus Christ, and as a recompense which is to be faithfully rendered to their good works and merits according to the promise of God Himself. For this is that *crown of righteousness* which the Apostle asserted was, after his *fight* and *course, laid up for him, to be given to him by the righteous judge, and not only to him, but unto all that love his coming.*[k] For, whereas Jesus Christ Himself, as the head into the members, and the vine into the branches, continually causes his virtue to flow into the said justified, which virtue always precedes and accompanies and follows after their good works, and without which it could not in anywise be pleasing and meritorious before God, we must needs believe that to the justified nothing further is wanting, but that they be accounted to have, by those very works which have been done in God, fully satisfied the divine law according to the state of this life, and truly to have merited eternal life, to be obtained also in its due time; if so be, however, that they shall have departed in grace: forasmuch as Christ, our Saviour, saith: *If any one shall drink of the water that I shall give him, he shall not thirst for ever; but it shall become in him a well of water springing up into everlasting life.*[l] Thus, neither is our own *righteousness established as our own*[m] as from ourselves; nor is the righteousness of God denied or repudiated: for that righteousness which is called ours, because we are justified from its being inherent in us, that same is [the righteousness] of God, because it is infused into us of God, through the merit of Christ. Nor is this to be omitted, that, although, in the sacred writings, so much is attributed to good works, that Christ promises, that even *he that shall give a drink of cold water to one of his least ones, shall not lose his reward;*[n] and the Apostle bears witness that, *That which is at present but for a moment and light of our tribulation, worketh for us a far more exceeding eternal weight of glory;*[o] nevertheless far be it that a Christian man should either trust or glory in

[i] Heb. x. 35.
[j] Matt. x. 22.
[k] 2 Tim. iv. 8.
[l] John iv. 13, 14.
[m] Rom. x. 3.
[n] Matt. x. 42.
[o] 2 Cor. iv. 17.

himself, and not *in the Lord*,[p] whose goodness towards all men is so great, that He will have the things which are His own gifts to be their own merits.[q] And whereas *in many things we all offend*,[r] each one ought to have before his eyes, as well severity and judgment, as mercy and goodness; neither ought any one *to judge himself*, even though he be not conscious to himself of anything;[s] inasmuch as the whole life of man is to be examined and judged, not by the judgment of men, but of God, *who will bring to light the hidden things of darkness, and will make manifest the counsels of the hearts, and then shall every man have praise of God*,[t] who, as it is written, *will render to every man according to his works*.[u]

After this Catholic doctrine on justification, which whosoever receiveth not faithfully and firmly cannot be justified, it hath pleased the holy synod to subjoin these canons, that all may know not only what they ought to hold and follow, but also what to avoid and shun.

ON JUSTIFICATION.

CANON I. If any one shall say, that man may be justified before God by his own works, whether done through the strength of human nature, or through the teaching of the law, without the divine grace through Jesus Christ; let him be anathema.

CANON II. If any one shall say, that the divine grace through Jesus Christ is given only unto this, that man may more easily be able to live justly, and to merit eternal life, as if, by free will without grace, he were able [to do] both, though hardly and with difficulty; let him be anathema.

CANON III. If any one shall say, that without the preventing inspiration of the Holy Ghost, and his help, man can believe, hope, love, or be penitent, as he ought, so that the grace of justification may be conferred upon him; let him be anathema.

CANON IV. If any one shall say, that the free will of man moved and excited by God, by assenting to God exciting and calling, nowise co-operates to the end that it should dis-

[p] 1 Cor. i. 31; 2 Cor. x. 17.
[q] Ep. Cœlest. i., c. 12.
[r] James iii. 2.
[s] 1 Cor. iv. 3, 4.
[t] 1 Cor. iv. 5.
[u] Matt. xvi. 27.

pose and prepare itself for obtaining the grace of justification; and that it cannot refuse consent, if it would, but that, like something inanimate, it does nothing whatever, and is merely in a passive state; let him be anathema.

CANON V. If any one shall say, that, since Adam's sin, the free will of man is lost and extinguished; or, that it is a thing with a name only, yea, a title without a reality, a figment, in fine, brought into the Church by Satan; let him be anathema.

CANON VI. If any one shall say, that it is not in the power of man to make his ways evil, but that God worketh the works that are evil as well as those that are good, not by permission only, but properly, and of Himself, in such wise that the treason of Judas be no less His own proper work than the calling of Paul; let him be anathema.

CANON VII. If any one shall say, that all works which are done before justification, in what manner soever they be done, are truly sins, or deserve the hatred of God; or that, the more earnestly one strive to dispose himself for grace, so much the more grievously he sins; let him be anathema.

CANON VIII. If any one shall say, that the fear of hell, through which, by grieving for our sins, we flee unto the mercy of God, or refrain from sinning, is a sin, or makes sinners worse; let him be anathema.

CANON IX. If any one shall say, that by faith alone the impious is justified; so as to mean that nothing else is required to co-operate in order unto the obtaining the grace of justification, and that it is not in any respect necessary that he be prepared and disposed by the movement of his own will; let him be anathema.

CANON X. If any one shall say, that men are justified without the righteousness of Christ, by which He merited for us to be justified; or that it is by that [justice] itself that they are formally just; let him be anathema.

CANON XI. If any one shall say, that men are justified either by the sole imputation of the righteousness of Christ, or by the sole remission of sins, to the exclusion of the grace and *the charity which is shed abroad in their hearts by the Holy Ghost*,[r] and is inherent in them; or even that the

[r] Rom. v. 5.

grace, by which we are justified, is only the favour of God; let him be anathema.

CANON XII. If any one shall say, that justifying faith is nought else but confidence in the divine mercy which remits sins for Christ's sake; or that it is this confidence alone by which we are justified; let him be anathema.

CANON XIII. If any one shall say, that it is necessary unto every one, for the obtaining the remission of sins, that he believe for certain, and without any hesitation arising from his own infirmity and indisposition, that his sins are remitted unto him; let him be anathema.

CANON XIV. If any one shall say, that man is absolved from his sins and justified, because that he assuredly believed himself to be absolved and justified; or that no one is truly justified save he who believes himself justified; and that, by this faith alone, absolution and justification are perfected; let him be anathema.

CANON XV. If any one shall say, that a man, who is born again and justified, is bound of faith to believe that he is assuredly in the number of the predestinated; let him be anathema.

CANON XVI. If any one shall say, that he will for certain, of an absolute and infallible certainty, have that great gift of perseverance unto the end, unless that he have learnt this by a special revelation; let him be anathema.

CANON XVII. If any one shall say, that the grace of justification only befalleth those who are predestined unto life; but that all others who are called, are called indeed, but receive not grace, as being, by the divine power, predestined unto evil; let him be anathema.

CANON XVIII. If any one shall say, that the commandments of God are, even for a man that is justified and constituted in grace, impossible to keep; let him be anathema.

CANON XIX. If any one shall say that nothing besides faith is commanded in the Gospel; that other things are indifferent, neither commanded nor prohibited, but free; or, that the ten commandments in nowise appertain to Christians; let him be anathema.

CANON XX. If any one shall say, that a man who is justified and how perfect soever, is not bound to the observance of the commandments of God and of the Church, but only

to believe; as if, forsooth, the Gospel were a bare and absolute promise of eternal life, without the condition of observation of the commandments; let him be anathema.

CANON XXI. If any one shall say, that Christ Jesus was given of God unto men, as a redeemer, in whom they should trust, and not also as a legislator, whom they should obey; let him be anathema.

CANON XXII. If any one shall say, that the justified is able either to persevere, without the special assistance of God, in the justice received; or that, with that [assistance], he is not able; let him be anathema.

CANON XXIII. If any one shall say, that a man once justified can sin no more, nor lose grace, and that therefore he that falls and sins was never truly justified; or, on the other hand, that he is able, throughout his whole life, to avoid all sins, even those that are venial, except by a special privilege from God, as the Church holds respecting the Blessed Virgin;[w] let him be anathema.

CANON XXIV. If any one shall say, that the justice received is not preserved, and also increased in the sight of God through good works; but that the said works are merely the fruits and signs of justification received, but not a cause of the increase thereof; let him be anathema.

CANON XXV. If any one shall say, that, in every good work, the just sins venially at least, or, which is still more intolerable, mortally, and therefore deserves eternal punishments; and that it is only for this cause he is not damned, because God does not impute those works unto damnation; let him be anathema.

CANON XXVI. If any one shall say, that the just ought not, for their good works which have been done in God, to expect and hope for an eternal recompense from God, through His mercy and the merit of Jesus Christ, if they persevere *unto the end*[x] in well doing and in keeping the divine commandments; let him be anathema.

CANON XXVII. If any one shall say, that there is no deadly sin but that of infidelity; or, that grace once received is not lost by any other sin, however grievous and enormous, save only by that of infidelity; let him be anathema.

[w] See Sess. v. 5, sub fin.

[x] Matt. xxiv. 13.

CANON XXVIII. If any one shall say, that, grace being lost through sin, faith also is always lost with it; or that the faith which remains is not a true faith, though it be not a lively faith; or, that he, who has faith without charity, is not a Christian; let him be anathema.

CANON XXIX. If any one shall say, that he, who has fallen after baptism, is not able by the grace of God to rise again; or, that he is able indeed to recover the justice lost, but by faith alone, without the sacrament of penance, contrary to what the holy Roman and universal Church, instructed by Christ and his apostles, has hitherto professed, observed and taught; let him be anathema.

CANON XXX. If any one shall say, that, after the grace of justification received, unto every penitent sinner the guilt is so remitted, and the penalty[y] of eternal punishment so blotted out, that there remains not any penalty of temporal punishment, to be discharged either in this world, or in the next in purgatory,[z] before the entrance to the kingdom of heaven can be laid open; let him be anathema.

CANON XXXI. If any one shall say, that the justified sins when he doeth good works with a view to an eternal recompense; let him be anathema.

CANON XXXII. If any one shall say, that the good works of a man that is justified are in such wise the gifts of God, as that they are not also the good merits of him that is justified; or, that the said justified, by the good works which are performed by him through the grace of God and the merit of Jesus Christ, whose living member he is, does not truly merit increase of grace, eternal life, and the attainment of that eternal life, if so be, however, that he depart in grace, and, moreover, an increase of glory; let him be anathema.

CANON XXXIII. If any one shall say, that, by this Catholic doctrine touching justification, set forth by this holy synod in this present decree, aught is derogated from the glory of God, or the merits of our Lord Jesus Christ, and not rather that the truth of our faith, and the glory in fine of God and of Christ Jesus are rendered illustrious; let him be anathema.

[y] Reatus. [z] See Sess. XXV. sub init.

DECREE TOUCHING REFORMATION.

CHAPTER I.

It is fitting that Prelates reside in their own Churches; if they shall do otherwise, the Penalties of the Ancient Law are renewed against them, and new ones decreed.

The same sacred and holy synod,—the same legates of the Apostolic See presiding, wishing to gird itself unto the restoring of ecclesiastical discipline, which is exceedingly relaxed, and to amending the depraved manners of the Christian clergy and people, has thought fit to begin with those who preside over the greater churches; for the integrity of those in authority is the safety of those in subjection. Trusting, therefore, that through the mercy of our Lord and God, and the provident care of His own vicar upon earth, it will surely come to pass that those who are most worthy, and whose previous life and whole career from their early infancy to their riper years, having been laudably passed in the exercises of ecclesiastical discipline, bears testimony in their favour, will be taken unto the government of churches, according to the venerable ordinances of the fathers, since it is a burden to be dreaded even by angels; [the synod] admonishes all those who, under whatsoever name and title, are set over any patriarchal, primatial, metropolitan, and cathedral churches, and accounts all such admonished,[a] that, *taking heed to themselves, and to the whole flock, over the which the Holy Ghost hath placed them to rule the Church of God, which he hath purchased with his own blood,*[b] *they watch*, as the Apostle enjoins, that they labour in all things, and fulfil their ministry.[c] But let them know, that they cannot fulfil it, if, after the manner of hirelings,[d] they abandon the flocks committed to them, and apply not to the keeping of their own sheep, *whose blood will be required at their hands*,[e] by the Supreme Judge; since it is most certain that, if the wolf have devoured the sheep, and the shepherd knew not thereof, the shepherd's excuse will not be admitted.

And nevertheless, whereas some are to be found at this time, who, as is earnestly to be lamented, forgetful even of

[a] Monitos esse vult. [b] Acts xx. 28. [c] See 2 Tim. iv. 5.
[d] See John x. 12. [e] Ezek. xxxiii. 6.

their own salvation, and preferring earthly things to heavenly and human things to divine, wander about in various courts or, their fold forsaken, and the care of the sheep committed to them neglected, keep themselves busied with the cares of temporal affairs; it hath seemed fit to this sacred and holy synod to renew, as by virtue of the present decree it doth renew, the ancient canons promulgated against non-residents, which [canons] have, through the disorders of the times and of men, almost fallen into desuetude; and furthermore, in order to the more fixed residence of the same, and for the reforming of manners in the church, it hath seemed good to ordain and sanction in the manner following:—

If any one, by what dignity, degree, and pre-eminence soever he may be distinguished, shall, by remaining six consecutive months out of his own diocese, all lawful impediment, or just and reasonable causes being wanting, be absent from a patriarchal, primatial, metropolitan, or cathedral church, under whatsoever title, cause, name, or right committed to him, he shall, by virtue of his conduct,[f] incur the penalty of the forfeiture of a fourth part of one year's fruits, to be applied, by an ecclesiastical superior, to the fabric of the church and to the poor of the place. But if he continue in such like absence during six other months, he shall, by virtue of such conduct,[g] forfeit another fourth part of the fruits, to be applied in like manner. But if the contumacy increase,—to the end that he may be subjected to a severer censure of the sacred canons, the metropolitan shall be obliged to denounce his absent suffragan bishops, and the oldest resident suffragan bishop to denounce his absent metropolitan, to the Roman pontiff, either by letters or by messenger, within the space of three months, under the penalty, to be by such conduct[h] incurred, of being interdicted from entering into the church; who,[i] by the authority of his own supreme see, may animadvert upon the said absentees, according as the greater or less contumacy of each may require, and provide the said churches with more useful pastors, as he shall know in the Lord to be salutarily expedient.

[f] *Ipso jure*, by the state of the case, by the very fact itself, irrespective of other considerations.

[g] Eo ipso. [h] Ipso facto. [i] *I. e.* the Roman pontiff.

CHAPTER II.

It is not lawful for any one holding a Benefice requiring personal residence to be absent, save for a just cause to be approved of by the Bishop, who even then shall, for the cure of souls, substitute a Vicar in his stead, withdrawing a portion of the fruits.

Those inferior to bishops, who hold by title, or *in commendam*,[1] any ecclesiastical benefices requiring personal residence whether by law or custom, shall be compelled, by their ordinaries, by suitable legal remedies, to reside as shall seem expedient to them for the good government of the churches and the advancement of divine worship, considering the character of the places and persons; and to no one shall any perpetual privileges, or indults, in favour of not residing, or of receiving the fruits during absence, be of avail: temporary indulgences, however, and dispensations, granted solely for true and reasonable causes, and which are to be legitimately proved before the ordinary, remaining in force: in which cases, nevertheless, it shall be the office of bishops, as delegated in this matter by the Apostolic See, to provide that, by the deputing of competent vicars, and the assigning to them of a suitable portion of the fruits, the cure of souls be in nowise neglected; no privilege in this respect, or exemption whatever, being of avail to any.

CHAPTER III.

The Excesses of Secular Clerks and of Regulars who live out of their Monasteries shall be corrected by the Ordinary of the place.

The prelates of the churches shall apply themselves prudently and diligently to correct the excesses of those in subjection; and no secular clerk, under pretext of a personal [privilege], or any regular, living out of his monastery, shall, under pretext of a privilege of his order, be accounted, if he transgress, exempt from being visited, punished, and corrected, according to the canonical ordinances, by the ordinary of the place, as delegated hereunto by the Apostolic See.

[1] *I. e.* in their own care, until such benefice be provided with a regular incumbent. Commenda is thus defined by Spelman: "custodia ecclesiastici beneficii, quæ ad certum tempus alicui conceditur."—Glossar. p. 144.

CHAPTER IV.

Bishops and other greater Prelates shall visit any Churches soever, as often as there shall be need; everything which might hinder this decree being removed.

The chapters of cathedral, and other greater churches, and the members thereof, shall, by no exemptions, customs, judgments, oaths, concordates, which only bind the authors thereof,—not also their successors,—be able to protect themselves from being capable and liable to be, according to the canonical ordinances, visited, corrected, and amended, as often as shall be needful, even with apostolical authority, by their own bishops, and other greater prelates, by themselves alone, or with those whom it shall seem fit to them to have joined with them.

CHAPTER V.

Bishops shall neither exercise Pontifical Functions nor Ordain in another Diocese.

It shall not be lawful for any bishop, under the plea of any privilege soever, to exercise pontifical functions in the diocese of another, save only by the express permission of the ordinary of the place, and in regard of those persons only who are subject to that same ordinary. If the contrary shall have been done, the bishop [shall be suspended] from the exercise of pontifical functions, and those so ordained by the very fact,[k] shall be similarly suspended from the exercise of their orders.

INDICTION OF THE NEXT SESSION.

Doth it please you, that the next ensuing session be celebrated on Thursday, the fifth day after the first Sunday of the approaching Lent, which[l] will be the third day of the month of March?

They answered: It pleaseth.

[k] Ipso jure.

[l] *I. e.* Thursday.

SESSION THE SEVENTH,

Celebrated on the third day of the month of March, 1547.

DECREE CONCERNING THE SACRAMENTS.

Preface.

For the consummation of the salutary doctrine on Justification, which was promulgated in the last preceding session with the unanimous consent of the Fathers, it hath seemed fitting to treat of the most holy Sacraments of the Church, through which all true justice either begins, or being begun is increased, or being lost is repaired. Wherefore, the sacred and holy, œcumenical and general Council of Trent, lawfully assembled in the Holy Ghost, the same legates of the Apostolic See presiding therein,—in order to destroy the errors and to extirpate the heresies, which have appeared in these our days respecting the said most holy sacraments, as well those which have been revived from the heresies condemned of old by our fathers, as also those newly invented, which are exceedingly prejudicial to the purity of the Catholic Church, and to the salvation of souls,—[the aforesaid council] adhering to the doctrine of the holy Scriptures, to the apostolic traditions, and to the consent of other councils and of the Fathers, has thought fit to establish and decree these present canons; intending, the divine Spirit aiding, to publish hereafter the remaining canons which are wanting for the completion of the work begun.

TOUCHING THE SACRAMENTS IN GENERAL.

Canon I. If any one shall say, that the sacraments of the New Law were not all instituted by Jesus Christ, our Lord; or, that they are more, or less than seven, to wit, Baptism, Confirmation, the Eucharist, Penance, Extreme Unction, Orders, and Matrimony; or even that any one of these seven is not truly and properly a sacrament; let him be anathema.

Canon II. If any one shall say, that these said sacraments of the New Law do not differ from the sacraments of the Old Law, save that the ceremonies are different, and the outward rites different; let him be anathema.

Canon III. If any one shall say, that these seven sacra-

ments are equal to each other in such wise, as that one is not in any way more worthy than another; let him be anathema.

CANON IV. If any one shall say, that the sacraments of the New Law are not necessary unto salvation, but superfluous, and that without them, and without the desire thereof, men, through faith alone, obtain of God the grace of justification; though all [the sacraments] be not necessary for every individual; let him be anathema.

CANON V. If any one shall say, that these sacraments were instituted for the sake of nourishing faith alone; let him be anathema.

CANON VI. If any one shall say, that the sacraments of the New Law do not contain the grace which they signify; or, that they do not confer that grace on those who do not place an obstacle in the way; as though they were merely outward signs of grace or righteousness received through faith, and certain marks of the Christian profession, by which the believers are distinguished amongst men from the unbelievers; let him be anathema.

CANON VII. If any one shall say, that grace, as far as concerneth God's part, is not given through the said sacraments, always, and to all men, even though they rightly receive them, but [only] sometimes, and to some persons; let him be anathema.

CANON VIII. If any one shall say, that by the said sacraments of the New Law grace is not conferred through the act performed,[m] but that faith alone in the divine promise suffices for obtaining grace; let him be anathema.

CANON IX. If any one shall say, that, in the three sacraments, Baptism, to wit, Confirmation, and Orders, there is not imprinted on the soul a character, that is, a certain spiritual and indelible sign, on account of which they cannot be repeated; let him be anathema.

CANON X. If any one shall say, that all Christians have power to administer the word, and all the sacraments; let him be anathema.

CANON XI. If any one shall say, that, in ministers, whilst they effect, and confer the sacraments, there is not required

[m] Ex opere operato. See Comm. on Article the 26th.

the intention at least of doing what the Church does; let him be anathema.

CANON XII. If any one shall say, that a minister, being in deadly sin, provided that he observe all the essentials which belong to the performance or conferring of the sacrament, neither performs nor confers the sacrament; let him be anathema.

CANON XIII. If any one shall say, that the received and approved rites of the Catholic Church, wont to be used in the solemn administration of the sacraments, may be contemned, or without sin omitted at pleasure by the ministers, or be changed by any pastor of the churches into other new ones; let him be anathema.

TOUCHING BAPTISM.

CANON I. If any one shall say, that the baptism of John had the same force with the baptism of Christ; let him be anathema.

CANON II. If any one shall say, that true and natural water is not of necessity for baptism, and, on that account, wrests to some sort of metaphor those words of our Lord Jesus Christ; *Except a man be born again of water and the Holy Ghost*;[n] let him be anathema.

CANON III. If any one shall say, that in the Romish church, which is the mother and mistress of all churches, there is not the true doctrine concerning the sacrament of baptism; let him be anathema.

CANON IV. If any one shall say, that the baptism which is also given by heretics in the name of the Father, and of the Son, and of the Holy Ghost, with the intention of doing what the Church doth, is not true baptism; let him be anathema.

CANON V. If any one shall say, that baptism is free, that is, not necessary unto salvation; let him be anathema.

CANON VI. If any one shall say, that one who has been baptized cannot, even if he wish, lose grace, let him sin ever so much, unless he will not believe; let him be anathema.

CANON VII. If any one shall say, that the baptized are, by baptism itself, *made debtors* but to faith only, and not to the observance of the whole law of Christ; let him be anathema.

[n] John iii. 5.

CANON VIII. If any one shall say, that the baptized are freed from all the precepts of the holy Church, whether written or transmitted, so that they are not bound to observe them, unless they, of their own accord, have chosen to submit themselves to them; let him be anathema.

CANON IX. If any one shall say, that men are so to be recalled unto the remembrance of the baptism which they have received, as that they must understand that all vows which are made after baptism are void, by virtue of the promise already made in that baptism; as if, by those [vows] they both derogated from that faith which they have professed, and from baptism itself; let him be anathema.

CANON X. If any shall say, that, by the sole remembrance and faith of the baptism received, all sins which are committed after baptism are either remitted, or made venial; let him be anathema.

CANON XI. If any one shall say, that baptism, true, and rightly conferred, is to be repeated for him who, amongst Infidels, has denied the faith of Christ, when he is converted unto penitence; let him be anathema.

CANON XII. If any one shall say, that no one is to be baptized save at that age at which Christ was baptized, or at the very point of death; let him be anathema.

CANON XIII. If any one shall say, that infants, for that they have not actual faith, are not, after having received baptism, to be reckoned amongst the faithful, and that, for this reason, they are to be rebaptized, when they have arrived at years of discretion; or, that it is better that the baptism of such be omitted, than that they, while not believing by their own act, should be baptized in the faith alone of the Church; let him be anathema.

CANON XIV. If any one shall say, that those who have been thus baptized when infants, are, when they have grown up, to be questioned whether they will ratify what their sponsors promised in their name when they were baptized; and that, in case that they answer they will not, they are to be left to their own will; and are not meanwhile to be compelled to a Christian life by any other penalty, save that they be excluded from the participation of the Eucharist, and of the other sacraments, until they repent; let him be anathema.

TOUCHING CONFIRMATION.

CANON I. If any one shall say, that the confirmation of those who have been baptized is an idle ceremony, and not rather a true and proper sacrament; or that it was formerly nothing more than a kind of catechism, whereby they who were near years of discretion,[o] declared an account of their faith in the face of the Church; let him be anathema.

CANON II. If any one shall say, that they who ascribe any virtue to the sacred chrism[p] of confirmation, do an injury to the Holy Ghost; let him be anathema.

CANON III. If any one shall say, that the ordinary minister of holy confirmation is not the bishop only, but any simple priest soever; let him be anathema.

DECREE CONCERNING REFORMATION.

The same sacred and holy synod—the same legates also presiding—purposing to prosecute, unto the praise of God, and the increase of the Christian religion, the work which it hath begun respecting residence and reformation, has thought good to ordain as follows; saving always, in all things, the authority of the Apostolic See.

CHAPTER I.

Who is capable of the Government of Cathedral Churches.

No one shall be assumed unto the government of cathedral churches, but one that is born of a lawful wedlock, is of mature age, and endowed with gravity of manners, and skill in letters, agreeably to the constitution of Alexander III., which begins, *Quum in cunctis*, promulgated in the Council of Lateran.

CHAPTER II.

They who hold several Cathedral Churches are commanded to resign all but one, in a given Manner and Time.

No one, by what dignity, grade, or pre-eminence soever distinguished, shall presume, contrary to the institutes of the sacred canons, to receive and to hold at the same time several metropolitan or cathedral churches, whether by title,

[o] Adolescentiæ proximi. [p] *I. e.* unction, anointing.

or *in commendam*, or under any other name whatsoever; seeing that he is to be accounted exceedingly fortunate, to whose lot it has fallen to rule one church well and fruitfully, and unto the salvation of the souls committed to him. But they who now hold several churches contrary to the tenor of the present decree, shall be bound, retaining the one which they may prefer, to resign the rest, within six months if they belong to the free disposal of the Apostolic See, in other cases within the year; otherwise those churches, the one last obtained only excepted, shall, by the very fact [of their non-resignation] be deemed vacant.

CHAPTER III.

Benefices shall be conferred only upon competent Persons.

Inferior ecclesiastical benefices, especially those which have the cure of souls, shall be conferred upon persons worthy and competent, and who can reside on the spot, and exercise personally the said cure; according to the constitution of Alexander III., in the Council of Lateran, which begins, *Quia nonnulli;* and that other of Gregory X., published in the general Council of Lyons, which begins, *Licet Canon.* A collation, or provision, made otherwise, shall be rendered wholly null: and let the ordinary collator know, that he will himself incur the penalties in the constitution of the general council,[q] which begins, *Grave nimis.*

CHAPTER IV.

The Retainer of several Benefices contrary to the Canons shall be deprived thereof.

Whosoever for the future shall presume to receive, or to retain at the same time several cures, or ecclesiastical benefices otherwise incompatible, whether by way of union for life, or in perpetual *commendam*, or under any other name or title soever, contrary to the appointment of the sacred canons, and especially of the constitution of Innocent III., beginning, *De multa*, shall be by the very fact[r] deprived of the said benefices, according to the disposition of the said constitution, and also by virtue of the present canon.

[q] Of Lateran, c. 19, x. de præb. iii. 5.

[r] Ipso jure.

CHAPTER V.

Those who hold several Benefices with Cure [of Souls] shall exhibit their Dispensations to the Ordinary, who shall provide the Churches with a Vicar, assigning a Suitable Portion of the Fruits.

The ordinaries of the places shall strictly compel all those who hold several cures, or ecclesiastical benefices otherwise incompatible, to exhibit their dispensations; and they shall otherwise proceed according to the constitution of Gregory X., published in the general Council of Lyons, which begins *Ordinarii*, which this same holy synod thinks should be renewed, and doth renew; adding, moreover, that the said ordinaries must by all means provide, even by the deputing of fit vicars, and the assigning of a suitable portion of the fruits, that the cure of souls be in no way neglected, and that the said benefices be nowise defrauded of the services due to them: no appeals, privileges, or exemptions soever, even with a deputation of special judges, and inhibitions from the same, being of avail to any one in the matters aforesaid.

CHAPTER VI.

What Unions of Benefices shall be accounted Valid.

Unions in perpetuity, made within forty years, may be examined into by the ordinaries, as delegated by the Apostolic See, and such as shall have been obtained by surreption or obreption shall be declared null. Now those which, having been granted within the aforesaid period, have not as yet been carried into effect wholly, or in part, as also those which shall henceforth be made at the instance of any person soever, must be presumed to have been obtained by surreption, unless it shall be certain that they have been made for lawful, or otherwise reasonable causes, to be verified before the ordinary of the place, those persons being summoned whose interests are concerned: and therefore [such unions], unless the Apostolic See shall have declared otherwise, shall be altogether of no force.

CHAPTER VII.

United Ecclesiastical Benefices shall be visited: the Cure of Souls shall be exercised even by Perpetual Vicars; of whom there shall be a Deputation thereunto with a Portion to be assigned, even upon a Specific Property.

Ecclesiastical benefices with cures, which are found to have been always united and annexed to cathedral, collegiate, or other churches, or to monasteries, benefices, or colleges, or other pious places of what sort soever, shall be visited every year by the ordinaries of those places; who shall take care sedulously to provide that the cure of souls be laudably exercised by competent vicars, and those even perpetual, unless it shall seem to the said ordinaries to be otherwise expedient for the good of the churches, which [vicars] shall be deputed thereunto by them, with a provision consisting of a third part of the fruits, or of a greater or less proportion, at the discretion of the said ordinaries, which is to be assigned even upon a specific property; no appeals, privileges, exemptions, even with a deputation of judges, and inhibitions from the same, being of any avail in the matters aforesaid.

CHAPTER VIII.

Churches shall be repaired. The Cure of Souls shall be sedulously discharged.

The ordinaries of the places shall be bound to visit every year, with apostolic authority, all churches soever, in what manner soever exempted; and to provide by suitable legal remedies, that whatever matters need repair, be repaired; and that they be not in any way defrauded of the cure of souls, if any such be annexed thereunto, or of the other services due to them; all appeals, privileges, customs, even those prescribed from time immemorial, deputations of judges, and inhibitions from the same, being utterly set aside.

CHAPTER IX.

The Rite of Consecration not to be delayed.

Those who have been promoted to the greater churches shall receive the rite of consecration within the time ordained by law, and any delays granted beyond the period of six months, shall be of no avail to any one.

CHAPTER X.

When a See is Vacant, Chapters shall not grant "Reverends" to any one, unless straitened because of a Benefice obtained, or about to be obtained: various Penalties on Contraveners.

It shall not be lawful for chapters of churches, when a see is vacant, to grant, whether by ordinance of common law, or by virtue of any privilege or custom soever, a license for ordination, or letters dimissory, or "reverend," as some call them, within a year from the day of that vacancy, to any one who is not straitened,[a] by occasion of some ecclesiastical benefice received, or about to be received. If it shall be otherwise, the contravening chapter shall be subjected to an ecclesiastical interdict; and the persons so ordained, if they have been constituted in minor orders, shall enjoy no clerical privilege, especially in criminal causes. But those constituted in the greater orders shall be, by the fact itself, suspended from the exercise thereof, according to the pleasure of the next prelate.

CHAPTER XI.

Faculties for Promotion shall not, without a Just Cause, avail any one.

Faculties, for being promoted by any one soever, shall be of no avail but to those who have a lawful cause, why they cannot be ordained by their own bishops, which is to be expressed in their letters; and even then they shall not be ordained but by a bishop residing in his own diocese, or by him who exercises the pontifical functions for him, and after a previous careful examination.

CHAPTER XII.

Faculty for not being promoted shall not exceed a Year.

Faculties granted for not being promoted shall avail only for a year, except in the cases expressly mentioned by law.

[a] Arctatus, "pressed for time."

CHAPTER XIII.

Persons, by whomsoever presented, shall not be instituted without the previous Examination and Approval of by the Ordinary: with certain Exceptions.

Persons presented, or elected, or nominated by any ecclesiastical parties soever, even by nuncios of the Apostolic See, shall not be instituted, or confirmed in, or admitted to any ecclesiastical benefices soever, even under the plea of any privilege soever, or custom, even if prescribed from time immemorial, unless they shall first have been examined, and found fit, by the ordinaries of the places. And no one shall be able to protect himself, by means of an appeal, from being bound to undergo the examination. Those, however, are to be excepted, who are presented, elected, or nominated by universities, or by colleges for general studies.

CHAPTER XIV.

What Civil Causes of Exempted Persons may be taken cognizance of by Bishops.

In the causes of exempted persons, the constitution of Innocent IV., beginning *Volentes*, published in the general Council of Lyons, shall be observed, which [constitution] this sacred and holy synod hath thought ought to be renewed, and doth hereby renew; adding furthermore, that, in civil causes relative to wages, and to distressed persons, clerks, whether seculars, or regulars, who live out of their monasteries, howsoever exempted, even though they may have upon the spot a special judge deputed by the Apostolic See; and in other [causes], if they have no such judge, may be brought before the ordinaries of the places, and be forced and compelled by course of law to pay what they owe; no privileges, exemptions, deputations of conservators, and inhibitions therefrom, being of any force whatever in opposition to the aforesaid [regulations].

CHAPTER XV.

Ordinaries shall take care that all manner of Hospitals, even those exempted, be faithfully governed by their Administrators.

The ordinaries shall take care that all hospitals whatsoever be faithfully and diligently governed by their own adminis-

trators, by what names soever they be called, and in what manner soever exempted: observing the form of the Constitution of the Council of Vienne, which begins *quia contingit*. Which constitution this same holy synod hath thought fit to renew, and doth hereby renew, together with the derogations contained therein.

INDICTION OF THE NEXT SESSION.

This sacred and holy synod hath also resolved and decreed that the next ensuing session be held and celebrated on Thursday, the fifth day after the coming Sunday *in Albis*,[t] which will be the 21st of the month of April of the present year, 1547.

BULL OF FACULTY TO TRANSFER THE COUNCIL.

Paul, Bishop, servant of the servants of God, to our venerable brother Giammaria, bishop of Palæstrina, and to our beloved sons, Marcellus, of the title of the Holy Cross, in Jerusalem, priest, and Reginald, of Saint Mary in Cosmedin, deacon, cardinals, our legates *a latere*, and those of the Apostolical See, health and apostolical benediction.

We, by the appointment of God, presiding over the government of the universal church, though with merits unequal thereunto, deem it a part of our office that, if anything of more than usual moment have to be settled touching the Christian commonweal, it be done not only at a suitable season, but also in a convenient and fitting place. Wherefore, whereas we lately, with the advice and consent of our venerable brethren the cardinals of the Holy Roman Church, upon hearing that peace had been made between our most dear sons in Christ, Charles, the Emperor of the Romans, ever august, and Francis, the most Christian King of the French, after we had taken off and removed the suspension of the celebration of the sacred œcumenical and universal council, which we had on another occasion, for reasons then

[t] *I.e.* Low Sunday. "In Latin, it is called *Dominica in Albis*, or rather *post Albas* (sc. *depositas*), as some ritualists call it, *i.e. the Sunday of putting off the chrysoms;* because those that were baptized on Easter-eve on this day laid aside those white robes, or chrysoms, which were put upon them at their baptism, and which were now laid up in the churches, that they might be produced as evidences against them if they should afterwards violate or deny that faith which they had professed in their baptism."—Wheatly on the Common Prayer, ch. v. sec. xix.

declared, indicted, with the like advice and consent, at the city of Trent, and which was, for certain other reasons at that time also declared suspended, with the like advice and consent, unto another more opportune and convenient time, to be declared by us: being ourselves unable, since we were at that time lawfully hindered, to repair to the aforesaid city in person, and to be present at that council, we, by the same advice, ordained and deputed you as our *legates a latere*, and those of the Apostolic See, in that council; and we sent you unto that same city as angels of peace, as in divers our letters thereupon is more fully contained: We, wishing to provide opportunely that so holy a work as the celebration of such a council may not be hindered or unduly delayed, through the inconvenience of the place, or otherwise in any manner, we, of our own proper motion,[u] and certain knowledge, and the plenitude of apostolic authority, and with the aforesaid advice and consent, do, by the tenor of these presents, with apostolic authority, concede to you all together, or to two of you, the other being detained by lawful impediment, or perchance absent therefrom, full and free power and faculty, to transfer and change, whensoever it shall seem fit to you, the aforesaid council from the same city of Trent, to any other more convenient, opportune, or safe city, respecting which it shall also seem fit to you, and to suppress and dissolve that [which is held] in the said city of Trent; as also to inhibit, even under ecclesiastical censures and pains, the prelates and other members of the said council, from proceeding to any further measures therein in the said city of Trent; and also to continue, hold, and celebrate the same council in any other such city unto which it shall happen to have been transferred and changed, and to summon thereunto the prelates and other members of the said Council of Trent, even under the pain of perjury, and of the other penalties mentioned in the letters of indiction of that council; to preside and proceed, in the council thus translated and changed,

[u] "Motu proprio," a phrase resembling the old English formula "ex mero motu," applied to what the king does upon his own responsibility. Du Cange states, that "its authority was far less than that of bulls, but that it was afterwards inserted in the bulls also, in order to signify that the pope promulgated them himself, without consulting the council of cardinals, and at no one's request" (vol. iv. p. 1604).

in the name and authority aforesaid, and to perform, institute, ordain, and execute the other things, as above mentioned, and the things thereunto necessary and opportune, according to the contents and tenor of the previous letters which have been on other occasion addressed unto you: [and] We will hold as ratified and pleasing whatsoever by you shall have been done, instituted, ordained, or executed, in the matters aforesaid, and will, with God's help, cause it to be inviolably observed; any apostolical constitutions and ordinances, and other things whatsoever to the contrary notwithstanding. Wherefore, let it be lawful to no one soever to infringe this letter of our grant, or with rash daring go contrary thereto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of the blessed Peter and Paul, His apostles.

Given at Rome, at St. Peter's, in the year of the Lord's Incarnation, 1547, on the 8th of the calends of March,[v] in the eleventh year of our pontificate.

FAB. BISH. OF SPOL.
B. MOTTA.

SESSION THE EIGHTH,

Celebrated on the eleventh day of the month of March, 1547.

DECREE CONCERNING THE TRANSLATION OF THE COUNCIL.

Doth it please you to decree and declare, that, from the aforesaid and other allegations, it is so plainly and notoriously certain, respecting a disease of the kind stated, that the prelates cannot without danger of their lives remain in this city, and that therefore they cannot and ought not against their wills to be detained therein. And considering also the withdrawal of many prelates since the session last held, and considering the protests made in the general congregations by very many other prelates, wishing by all means to depart hence through fear of the said disease, who cannot justly be detained, and by whose departure the council would either be dissolved, or, from the small number of the prelates, its beneficial progress would be hindered; and, considering also

[v] February 22nd.

the imminent danger to life, and the other notoriously true and lawful reasons alleged in the said congregations by certain of the fathers; doth it please you, in like manner, to decree and declare, that, for the preservation and prosecution of the said council, and for the safety of the lives of the said prelates, this council be transferred, for a season, to the city of Bologna, as being a place more ready, healthy, and suitable, and that the translation have effect from this day forth, and that the session, already indicted for the 21st day of April ought to be celebrated, and be celebrated, there, on that appointed day; and that the further matters be proceeded with in order, until it shall seem expedient to our most holy lord and to the sacred council, that the said council may, and ought, to be brought back to this, or to some other place, thereupon taking counsel also with the most invincible emperor, the most Christian king, and with the other Christian kings and princes?

They answered: It pleaseth.

SESSION THE NINTH,

Celebrated at Bologna, on the twenty-first day of the month of April, 1547.

DECREE FOR THE PROROGATION OF THE SESSION.

This sacred and holy, œcumenical and general synod, which was lately assembled in the city of Trent, and is now lawfully assembled together in the Holy Ghost at Bologna, the same most reverend Lords Giammaria del Monte, bishop of Palæstrina, and Marcellus, of the title of the Holy Cross in Jerusalem, priest, cardinals of the holy Roman Church, and legates apostolic *a latere*, presiding therein in the name of our most holy Father in Christ, and Lord, Paul III., by the providence of God, Pope, considering that, on the 11th day of the month of March of the present year, in a general public session celebrated in the said city of Trent, and in the usual place, all the formalities being observed according to custom; [the synod,] for causes then pressing, urgent, and lawful, and with the interposition also of the authority of the holy Apostolic See, specially also granted to the said most reverend presidents, decreed and ordained, that the council should be transferred, as it did transfer it, from that place to

this city, and likewise that the session, indicted there for this 21st day of April, that canons touching the matters of the sacraments and of reformation, concerning which it had purposed to treat, might be sanctioned and promulgated, ought to be celebrated in this city of Bologna; and considering that some of the fathers who have been accustomed to be present at this council, being some engaged in their own churches during these latter days of the great week,[w] and of the Paschal solemnity, and some also detained by other hindrances, have not as yet come hither, who nevertheless, it is to be hoped, will shortly be present; and that, from this reason, it has come to pass that the said matters of the sacraments and of reformation could not be examined and discussed in such an assembly of prelates as the holy synod desired: wherefore, to the end that all things may be done with mature deliberation, with due dignity and gravity, [the synod] hath considered, and doth consider, that it is good, opportune, and expedient, that the aforesaid session, which, as has been said, was to have been celebrated on this day, be deferred and prorogued, as it now defers and prorogues it, to the Thursday within the approaching octave of Pentecost, unto the expediting of the matters aforesaid; which day it has deemed, and deems to be, most opportune for the business to be transacted, and most convenient especially for the fathers who are absent; adding this, however, that this holy synod may and can, even in a private congregation, restrict and abridge the said term, at its will and pleasure, as it shall think expedient for the business of the council.

SESSION THE TENTH,

Celebrated at Bologna, on the second day of the month of June, 1547.

DECREE FOR THE PROROGATION OF THE SESSION.

Although this sacred and holy, œcumenical and general synod hath decreed, that the session which was to have been celebrated in this illustrious city of Bologna, on the 21st day of the month of April just past, on the subject of the sacra-

[w] *I. e.* of Lent.

ments and of reformation, according to the decree promulgated in public session in the city of Trent, should be deferred and prorogued to this present day, for certain causes, and especially on account of the absence of some of the fathers, who it was hoped would in a short time be present; wishing, however, even yet, to deal kindly with those who have not come, the same sacred and holy synod, lawfully assembled in the Holy Ghost, the same cardinals of the holy Roman Church, and legates of the Apostolic See, presiding therein, ordains and decrees, that the said session, which it had decreed to celebrate on this the 2nd day of the month of June of this present year, 1547, be deferred and prorogued, as it doth hereby defer and prorogue it, unto the Thursday after the feast of the Nativity of the Blessed Virgin Mary, which will be the 15th of September next, for the expediting of the aforesaid and other matters; so, however, that the prosecution of the discussion and examination, both of those things which [appertain] to dogmas, and of those which appertain to reformation, shall not meanwhile be suspended; and that the said holy synod freely may and can, at its will and pleasure, even in a private congregation, abridge or prorogue the said term.

On the 14th day of September, 1547, in a general Congregation held at Bologna, the Session, which was to have taken place on the following day, was prorogued during the good pleasure of the sacred Council.

BULL FOR THE RESUMPTION OF THE COUNCIL OF TRENT, UNDER THE SOVEREIGN PONTIFF JULIUS III.

Julius, Bishop, servant of the servants of God, for the future memory hereof.

Whereas, in order to remove the dissensions respecting our religion, which for a long time have prevailed in Germany, not without the disturbance and scandal of the whole Christian world, it seems good, opportune, and expedient, as also our most dearly beloved son in Christ, Charles the emperor of the Romans, ever-august, has caused to be signified to us by his letters and ambassadors, that the sacred, œcumenical, general council indicted by our predecessor, Pope Paul III., of happy memory, and begun, ordered, and continued by us, who then occupied the honour of the car-

dinalate, and jointly with two other cardinals of the holy Roman Church, presiding in the name of our said predecessor in the said council, wherein several public and solemn sessions were held, and several decrees promulgated as well on the subject of faith as of reformation, and also many matters pertaining to both subjects examined and discussed —should be brought back to the city of Trent: We, unto whom, as Sovereign Pontiff for the time, it appertains to indict and direct general councils, that, unto the praise and glory of Almighty God, we may procure the peace of the Church, and the increase of the Christian faith, and of the orthodox religion, and may, as far as lies in us, consult with fatherly care for the tranquillity of Germany, which province indeed, in times past, was never second to any in Christendom in cultivating true religion, and the doctrine of the sacred councils and holy fathers, and in exhibiting due obedience and reverence to the sovereign pontiffs, the vicars on earth of Christ our Redeemer; hoping that, through the grace and kindness of God, all Christian kings and princes will approve of, favour, and aid our just and pious wishes in this matter: We, by the bowels of the mercy of our Lord Jesus Christ, exhort, require, and admonish our venerable brethren the patriarchs, archbishops, bishops, and our beloved sons the abbots, and all and each of the others, who of right, or custom, or privilege, ought to be present at general councils, and whom our said predecessor, in his letters of indiction, and in any others soever drawn up and published on this subject, willed to be present at the council, to convene and assemble together, lawful impediment being wanting, in the same city of Trent, and to apply themselves without any delay whatever to the continuation and prosecution of the said council, on the next ensuing calends of May,[x] which day we ordain and declare, after mature deliberation previously, and of our own certain knowledge, and the plenitude of apostolic authority, and with the advice and consent of our venerable brethren the cardinals of the said holy Roman Church, for resuming and prosecuting the said council in the state wherein it is now found. For we shall take especial care, that, at the same time, in the same city, our

[x] May 1st.

legates be always present, through whom, if we shall be unable, on account of our age and state of health, and the necessities of the Apostolic See, to be personally present, we shall, under the direction of the Holy Ghost, preside over the said council; any translation and suspension of the said council, and any other things soever to the contrary notwithstanding, and especially those things which it was the will of our same predecessor should not cause any obstacle, as expressed in his letters aforesaid, which, with all and each of the clauses and decrees contained therein, we will and decree to continue in their own force, and we do, as far as there is need thereof, hereby renew them; declaring, nevertheless, null and void whatsoever may chance to be attempted, wittingly or ignorantly, by whatsoever person, or by whatsoever authority, against these [presents]. Let it be lawful for no one, therefore, to infringe this our letter of exhortation, requisition, monition, statute, declaration, renewal, will, and decrees, or with rash daring to go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His blessed apostles Peter and Paul.

Given at Rome, at St. Peter's, in the year 1548[y] of our Lord's Incarnation, on the 18th of the calends of December,[z] in the first year of our Pontificate.

M. Cardinal Crescen.

Rom. Amasæus.

SESSION THE ELEVENTH OF THE COUNCIL OF TRENT,

Being the first held under the Sovereign Pontiff Julius III., celebrated on the calends of May, 1551.

DECREE TOUCHING RESUMING THE COUNCIL.

Doth it please you, unto the praise and glory of the holy and undivided Trinity, Father, and Son, and Holy Ghost, unto the increase and exaltation of the Christian faith and religion, that the sacred, œcumenical, and general Council of Trent be resumed, according to the form and tenor of the

[y] MDLXVIII. in the Leipsic edition I use, is evidently a typographical error.

[z] November 14th.

letters of our most holy lord, and that further matters be proceeded with?

They answered: It pleaseth.

INDICTION OF THE NEXT SESSION.

Doth it please you that the next ensuing session be held and celebrated on the ensuing calends of September?

They answered: It pleaseth.

SESSION THE TWELFTH,

Being the second under the Sovereign Pontiff Julius III., celebrated on the first day of September, 1551.

DECREE FOR THE PROROGUING OF THE SESSION.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same legate and nuncios of the Apostolic See presiding therein,—having, in the session just past, decreed, that this next session should be celebrated on this day, and that further matters were to be proceeded with; whereas it has hitherto delayed to proceed, on account of the absence of the illustrious German nation, whose interests it principally concerns, and on account of the assemblage of the fathers not [being] numerous; at this very time rejoicing in the Lord, and giving deserved thanks to that same Almighty God, for the arrival, a little before this day, of our venerable brethren and sons in Christ, the archbishops of Mayence and Treves, electoral princes of the holy Roman empire, and also of several other bishops of that and of other provinces; and conceiving a firm hope that very many other prelates, both of Germany itself and of other nations, will, moved by the requirement of their office and by this example, arrive in a few days, [the synod] indicts the next session from the fortieth day from this present, which will be the eleventh of the next month of October; and prosecuting the said council in the state wherein it is now found, whereas in the preceding sessions definite rules were laid down[a] touching the seven sacraments of the new law in general, and on baptism and

[a] Definitum fuerit.

confirmation in particular, it resolves and decrees, that it must discuss and treat of the sacrament of the most holy Eucharist, and also, as regards reformation, of the other matters which pertain to the more easy and convenient residence of prelates. And it admonishes and exhorts all the fathers, that, meanwhile, after the example of our Lord Jesus Christ, they give themselves to fastings and prayers, as far at least as human weakness will permit, that so God, who is blessed for evermore, being at length appeased, may deign to bring back the hearts of men to the acknowledgment of His own true faith, to the unity of holy mother Church, and to the rule of living righteously.

SESSION THE THIRTEENTH,

Being the third under the Sovereign Pontiff Julius III., celebrated on the eleventh day of October, 1551.

DECREE TOUCHING THE MOST HOLY SACRAMENT OF THE EUCHARIST.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same legate and nuncios of the Apostolic See presiding therein,—although it was unto this end that it assembled, not without the special guidance and governance of the Holy Ghost [to wit], that it might set forth the true and ancient doctrine touching faith and the sacraments, and that it might provide a remedy for all the heresies, and the other most grievous troubles with which the Church of God is now most miserably agitated, and rent into many and various parts; yet, even from the outset, this especially has been the object of its desires, that it might *pluck up* by the roots those *tares*[b] of execrable errors and schisms, which *the enemy* hath, in these our calamitous times, sown in the doctrine of the faith, in the use and worship of the sacred and holy Eucharist, which our Saviour, notwithstanding, left in His Church as a symbol of that unity and charity in which He would fain have all Christians be mutually joined and united together. Wherefore, this same sacred and holy synod, here delivering, on this venerable and divine sacrament of the

[b] Matt. xiii. 28, 30.

Eucharist, that sound and genuine doctrine, which the Catholic Church, instructed by our Lord Jesus Christ Himself, and by His apostles, and taught by the Holy Ghost, who day by day *brings to her remembrance all truth*,[c] has always retained, and will preserve even to the end of the world, forbids all the faithful of Christ, lest they should henceforth presume to believe, teach, or preach concerning the holy Eucharist, otherwise than as is explained and defined in this present decree.

CHAPTER I.

On the Real Presence of our Lord Jesus Christ in the most holy Sacrament of the Eucharist.

In the first place, the holy synod teaches, and openly and simply professes, that, in the sacred[d] sacrament of the holy Eucharist, after the consecration of the bread and wine, our Lord Jesus Christ, true God and man, is truly, really, and substantially contained under the species of those sensible things. For neither are these things mutually repugnant, that our Saviour Himself ever sitteth at the right hand of the Father in heaven,[e] according to the natural mode of existing, and that, nevertheless, He be, in many other places, sacramentally present unto us in his own substance, by that manner of existing, which, though we can scarcely express it in words, we yet can, by the understanding illuminated by faith, suppose, and ought most faithfully to believe, to be possible unto God.[f] For thus all our forefathers, as many as were in the true Church of Christ, who have discoursed of this most holy sacrament, have most openly professed, that our Redeemer instituted this so admirable a sacrament at the last supper, when, after the blessing of the bread and wine, He bore witness, in distinct and clear words,[g] that He gave them His own very Body, and His own Blood;

[c] See Luke xii. 12; John xiv. 26; xvi. 13.

[d] "Almo," a word commonly used as an epithet of various heathen deities, with a reference to the power of providing nourishment, and hence "beneficial," "kindly." We have no equivalent word in our language. The Rev. J. Waterworth has rendered it "august" in his translation.

[e] See the Symbol in Sess. iii.

[f] Cf. Matt. xix. 26; Luke xviii. 27.

[g] Matt. xxvi. 26-28; Mark xix. 22-24; Luke xxii. 19, seq.

words which, recorded by the holy Evangelists, and afterwards repeated by St. Paul,[h] whereas they carry with them that proper and most manifest meaning according to which they were understood by the fathers, it is indeed a crime the most unworthy that they should be wrested, by certain contentious and wicked men, unto fictitious and imaginary figures of speech,[i] whereby the verity of the flesh and blood of Christ is denied, contrary to the universal sense of the Church, which, as *the pillar and stay of truth*,[j] has detested, as satanical, these inventions devised by impious men; she recognizing, with a mind ever grateful, and remembering, this most excellent benefit of Christ.

CHAPTER II.

On the Reason of the Institution of this most holy Sacrament.

Our Saviour, therefore, when about to depart from this world unto the Father, instituted this Sacrament, in which He, as it were, poured forth the riches of His divine love towards man, *making a remembrance of his wonderful works*;[k] and He commanded us, in the participation thereof, to venerate His *memory*, and to *show his death until He come*[l] to judge the world. And He also willed that this sacrament should be received as the spiritual food of souls, whereby may be nourished and strengthened those who live with His life, who said, *He that eateth me, he also shall live by me*;[m] and as an antidote, by the which we may be freed from daily faults, and preserved from mortal sins. He willed, furthermore, that it should be a pledge of our glory to come, and of everlasting happiness, and thus be a symbol of that one body of which He is the head, and to which He would fain have us, as members, be united by the closest bond of faith, hope, and charity, *that we might all speak the same thing, and there might be no schisms among us*.[n]

[h] 1 Cor. xi. 24, sqq.
[i] Tropos.
[j] 1 Tim. iii. 15.
[k] Ps. cx. 4 (cxi. 4).
[l] Luke xxii. 19; 1 Cor. xi. 26.
[m] John vi. 58.
[n] 1 Cor. i. 10.

CHAPTER III.

On the Excellency of the most holy Eucharist above the rest of the Sacraments.

This indeed is common to the most holy Eucharist with the rest of the sacraments, that it is a symbol of a sacred thing, and is a visible form of an invisible grace; but there is found in the Eucharist this excellent and peculiar thing, that the other sacraments have then first the power of sanctifying, when one uses them, whereas in the Eucharist, before the use, there is the Author Himself of sanctity. For the apostles had not as yet received the Eucharist from the hand of the Lord, when, nevertheless, Himself truly affirmed that to be His own body which He presented. And this faith has ever been in the Church of God, that, immediately after the consecration, the very Body of our Lord, and His very Blood, together with His soul and divinity, exist under the species of bread and wine; but the Body indeed under the species of bread, and the Blood under the species of wine, by the force of the words; but the body itself under the species of wine, and the blood under the species of bread, and the soul under each, by the force of that natural connexion and concomitancy by which the parts of Christ our Lord, *who hath now risen from the dead, to die no more*,[o] are united together; and the divinity, furthermore, on account of that admirable hypostatical union thereof with His body and soul. Wherefore it is most true, that as much is contained under either species as under each; for Christ whole and entire is under the species of bread, and under any part soever of that species; likewise the whole [Christ] is under the species of wine, and under its parts.

CHAPTER IV.

On Transubstantiation.

But because Christ, our Redeemer, declared that which He offered under the species of bread to be verily His own body, therefore has it ever been a firm belief in the Church of God, and this holy Synod doth now declare it anew, that,

[o] Rom. vi. 9.

by the consecration of the bread and of the wine, a conversion takes place of the whole substance of the bread into the substance of the body of Christ our Lord, and of the whole substance of the wine into the substance of His blood. Which conversion is, by the holy Catholic Church, conveniently and properly called Transubstantiation.

CHAPTER V.

On the Worship[p] and Veneration to be shown to this most holy Sacrament.

There is, therefore, no room left for doubting, that all the faithful of Christ, according to the custom ever received in the Catholic Church, exhibit in veneration the worship of latria,[q] which is due to the true God, to this most holy sacrament. For it is not the less to be worshipped on this account, that it was instituted by Christ, the Lord, to be received. For we believe that same God to be present therein, concerning whom the eternal Father, when introducing him into the world, says; *And let all the angels of God adore him;*[r] whom the Magi, *falling down, worshipped;*[s] who, in fine, as the scripture beareth witness, was worshipped by the apostles in Galilee.[t]

The holy Synod declares, moreover, that very piously and religiously was this custom introduced into the Church, that this most sublime and venerable sacrament should be, with special veneration and solemnity, celebrated, every year, on a certain day, and that a festival; and that it should be borne reverently and with honour in processions through the streets, and public places. For it is most just that there be certain stated holy days, when all Christians may, with a special and unusual demonstration, testify that their minds are grateful and mindful towards their common Lord and Redeemer for so ineffable and truly divine a benefit, whereby the victory and triumph of His death are represented. And so indeed did it behove victorious truth to celebrate a triumph over falsehood and heresy, that thus her adversaries, at the

[p] Cultu.

[q] *I. e.* worship of the highest order. The Romanists make a distinction between the degrees of worship.

[r] Ps. xcvi. 7 (xcvii. 7). Cf. Heb. i. 6.

[s] Matt. ii. 11.

[t] See Matt. xxviii. 17; Luke xxiv. 52.

sight of so much splendour, and placed in the midst of so great joy of the universal Church, may either pine away, weakened and broken; or, touched with shame, and confounded, at length repent.

CHAPTER VI.

On Reserving the Sacrament of the sacred Eucharist and bearing it to the Sick.

The custom of reserving the holy Eucharist in the sacrarium[u] is so ancient, that even the age of the Council of Nicæa[v] recognized it. Moreover, as to the carrying the sacred Eucharist itself to the sick, and carefully reserving it unto this purpose in churches, besides that it is conformable with the highest practice, equity and reason, it is also found enjoined in numerous councils,[w] and observed according to the most ancient of the Catholic Church. Wherefore, this holy synod ordains, that this salutary and necessary custom be by all means retained.

CHAPTER VII.

On the Preparation which is to be given that one may worthily receive the sacred Eucharist.

If it becometh not for any one to approach any of the sacred functions, unless [he approach] holily; assuredly, the more the holiness and divinity of this heavenly sacrament be understood by a Christian man, so much the more diligently ought he to take heed that he approach not to receive it but with great reverence and holiness, especially as we read in the apostle those words full of terror; *He that eateth and drinketh unworthily, eateth and drinketh judgment to himself.*[x] Wherefore, by him who would communicate, must the precept of the apostle be recalled to

[u] A part of the altar, with a kind of box or case in which the Eucharist was kept. "Pars altaris, ubi reponitur pyxis, in qua sacra Eucharistia asservatur, nostris vulgo *Tabernacle.*"—Du Cange. See Hoffmann's Lexicon, vol. iv. p. 18. The word is sometimes used for the space enclosed by the altar-rails, the chancel.

[v] See Conc. Nicæn. I. c. 13.

[w] See, for instance, Concil. Ancyr. c. 5; Concil. Agath. c. 15.

[x] 1 Cor. xi. 29.

mind; *Let a man prove himself.*[y] But ecclesiastical usage declares that necessary proof to be, that no one, conscious to himself of deadly sin, how contrite soever he may seem to himself, ought to approach the sacred Eucharist without sacramental confession preceding. This the holy synod hath decreed is to be perpetually observed by all Christians, even by those priests on whom by their office it may be incumbent to celebrate, provided the opportunity of a confessor fail them not. But if, necessity being urgent, a priest should celebrate without previous confession, let him confess as soon as possible.

CHAPTER VIII.

On the Use of this admirable Sacrament.

Now as regards the use, our Fathers have rightly and wisely distinguished three ways of receiving this holy sacrament. For they have taught that some receive it sacramentally only, to wit, sinners: others spiritually only, those, to wit, who eating in desire that heavenly bread which is set before them, are, by the lively *faith which worketh by love*,[z] made sensible of the fruit and utility thereof: whereas the third receive it both sacramentally and spiritually; and these are they who so *prove* and prepare themselves beforehand, that they approach this divine table *clothed with the wedding garment*.[a] Now as to the reception of the sacrament, it was always the custom in the Church of God, that laymen should receive the communion from the priests; but that the priests when celebrating should communicate themselves; which custom, as coming down from an apostolical tradition, ought with justice and reason to be retained. And finally, this holy synod with fatherly affection admonishes, exhorts, entreats, and beseeches, by the bowels of the mercy of our God, that all and each of those who are reckoned under the Christian name, would now at length join and agree in this sign of unity, in this bond of charity, in this symbol of concord; and that, mindful of the so great majesty, and the so exceeding love of our Lord Jesus Christ, who gave unto us His own beloved soul as the price of our salvation, and gave unto us His own flesh to eat, they would

[y] 1 Cor. xi. 28. [z] Gal. v. 6. [a] Matt. xxii. 11, 12.

believe and venerate these sacred mysteries of His body and blood with such constancy and firmness of faith, with such devotion of soul, with such piety and worship, as to be able to receive frequently that supersubstantial bread, and that it may be to them truly the life of the soul, and the perpetual health of their mind; that, by the strength thereof, being invigorated, they may, after the journeying of this miserable pilgrimage, be able to arrive at their heavenly country, to eat, without any veil, that same bread of angels which they now eat under the sacred veils.

But whereas it is not enough to declare the truth, if errors be not laid open and repudiated, it hath seemed good to the holy synod to subjoin these canons, that all, the Catholic doctrine being already recognized, may also understand what are the heresies against which they ought to guard and avoid.

CONCERNING THE MOST HOLY SACRAMENT OF THE EUCHARIST.

CANON I. If any one shall deny, that, in the sacrament of the most holy Eucharist, are verily, really, and substantially contained the body and blood, together with the soul and divinity, of our Lord Jesus Christ, and consequently the whole Christ; but shall say that He is only therein as in a sign, or in figure, or virtue; let him be anathema.

CANON II. If any one shall say, that, in the sacred and holy sacrament of the Eucharist, the substance of the bread and wine remains conjointly with the body and blood of our Lord Jesus Christ, and shall deny that wonderful and singular conversion of the whole substance of the bread into the Body, and of the whole substance of the wine into the Blood, the species only of the bread and wine remaining, which conversion indeed the Catholic Church most aptly calls Transubstantiation; let him be anathema.

CANON III. If any one shall deny, that, in the venerable sacrament of the Eucharist, the whole Christ is contained under each species, and under every part of each species, when separated; let him be anathema.

CANON IV. If any one shall say, that, after the consecration is completed, the body and blood of our Lord Jesus Christ are not in the admirable sacrament of the Eucharist, but [are there] only during the use, whilst it is being taken,

and not either before or after; and that, in the hosts, or consecrated particles, which after communion are reserved or remain, the true body of the Lord remaineth not; let him be anathema.

CANON V. If any one shall say, either that the chief fruit of the most holy Eucharist is the remission of sins, or, that from it other effects do not result; let him be anathema.

CANON VI. If any one shall say, that, in the holy sacrament of the Eucharist, Christ, the only begotten Son of God, is not to be adored with even the worship external of latria,[b] and is, consequently, neither to be venerated with a special festive celebration, nor to be solemnly borne about in processions, according to the laudable and universal rite and custom of the holy Church; or, is not to be proposed publicly to the people to be worshipped, and that the worshippers thereof are idolaters; let him be anathema.

CANON VII. If any one shall say, that it is not lawful for the sacred Eucharist to be reserved in the *sacrarium*, but that, immediately after consecration, it must necessarily be distributed amongst those at hand; or that it is not lawful that it be carried honourably to the sick; let him be anathema.

CANON VIII. If any one shall say, that Christ, presented in the Eucharist, is eaten spiritually only, and not also sacramentally and really; let him be anathema.

CANON IX. If any one shall deny, that all and each of Christ's faithful of both sexes are bound, when they have attained to years of discretion, to communicate every year, at least at Easter, in accordance with the precept of Holy Mother Church; let him be anathema.

CANON X. If any one shall say, that it is not lawful for the priest celebrating to communicate himself; let him be anathema.

CANON XI. If any one shall say, that faith alone is a sufficient preparation for receiving the sacrament of the most holy Eucharist; let him be anathema. And, lest so great a sacrament should be received unworthily, and so unto death and condemnation, this holy synod ordains and declares, that sacramental confession, when a confessor is to be

[b] See note, page 74.

obtained, is of necessity to be made beforehand, by those whom the conscience of deadly sin burthens, how contrite even soever they may deem themselves. But if any one shall presume to teach, preach, or obstinately assert, or even by publicly disputing, defend the contrary, he shall be by the very act excommunicated.

DECREE TOUCHING REFORMATION.

CHAPTER I.

Bishops shall prudently apply themselves to reform the Manners of their Subjects: from their Correction there shall be no Appeal.

The same sacred and holy Synod of Trent, lawfully assembled in the Holy Ghost, the same legate and nuncios of the Apostolic See presiding therein,—intending to ordain certain things which relate to the jurisdiction of bishops, in order that they may, in accordance with the decree of the last session, so much the more willingly reside in the churches committed to them, by how much the more easily and conveniently they shall be able to rule and to keep in propriety of life and manners, those subject unto them, thinks it meet that the bishops be first of all admonished to remember, that they are pastors, and not *strikers*,[c] and that they ought so to preside over those in subjection to them, as not to *lord it over* them,[d] but to love them as sons and brethren; and to strive, by exhorting and admonishing, to deter them from what is unlawful, that they may not be compelled, should they transgress, to coerce them by due punishments. Should they, however, happen to sin in any manner through human frailty, that precept of the apostle is to be observed by them, that they *reprove*, entreat, *rebuke* them *in all kindness*[e] and patience, since benevolence towards those to be corrected often effects more than austerity, exhortation more than menacing, charity more than power. But if, on account of the grievousness of the transgression, there be need of *the rod*, then is rigour to be used with gentleness, judgment with mercy, severity with lenity; that so discipline, salutary and necessary for the people, may be preserved without harshness; and that they who are chastised may be amended; or, if they be

[c] Titus i. 7. [d] Luke xxii. 25. [e] 2 Tim. iv. 2.

unwilling to repent, that others, by the wholesome example of their punishment, may be deterred from vices; since it is the office of a pastor, at once diligent and kind, first to apply gentle fomentations to the disorders of his sheep, afterwards, when the grievousness of the distemper may require them, to proceed to sharper and more painful remedies; but if not even these are effectual in removing those disorders, then is he to free the other sheep at least from the danger of contagion. Whereas, therefore, those guilty of crimes, for the most part, in order to avoid punishment, and to evade the judgments of their bishops, pretend to have subjects of complaint and grievance, and, under the subterfuge of an appeal, impede the process of the judge, [this synod,] in order to prevent a remedy, which was instituted for the protection of innocence, from being abused to the defence of iniquity, and that this their craft and tergiversation may be met, hath thus ordained and decreed: In causes respecting visitation and correction, or competency or incompetency, as also in criminal causes, there shall be no appeal, before the definitive sentence, from the bishop or his vicar-general in spiritual matters, from any interlocutory sentence, or other grievance[f] soever; neither shall the bishop, nor his vicar, be bound to defer to any such appeal, as being frivolous; but they may proceed to ulterior measures, that appeal, or any inhibition whatsoever, emanating from a judge of appeal, as also every usage and custom even immemorial, to the contrary notwithstanding; except that the said grievance cannot be repaired by the definitive sentence, or that there is no appeal from the said definitive sentence; in which cases the statutes of the sacred and ancient canons shall remain untouched.

CHAPTER II.

When an Appeal in Criminal Causes from the Bishop is to be committed to the Metropolitan, when to one of the nearest Bishops.

A case of appeal, where there is room for appeal, from the sentence of the bishop, or that of his vicar-general in spiritual matters, shall, if it shall happen to be committed by apostolic authority to judges on the spot, be referred to the metro-

[f] *I. e.* any alleged grievance.

politan, or even to his vicar-general in spiritual matters; or if he be for some cause suspected, or be distant more than two days' journey, as settled by law,[g] or if the appeal be made from him, it shall be committed to one of the nearest bishops, or to their vicars, but not to inferior judges.

CHAPTER III.

The Acts of the First Instance shall, within Thirty Days, be given gratuitously to the Accused Appellant.

The accused who is in a criminal cause an appellant from the bishop, or from his vicar-general in spiritual matters, shall absolutely produce, before the judge to whom he has appealed, the acts of the first instance; and the judge, without having seen them, shall by no means proceed to the absolution of the accused. But he, from whom the appeal is made, shall furnish, on the demand [of the appellant], the said acts gratuitously within thirty days; otherwise such case of appeal shall be terminated without them, in the way that justice may recommend.

CHAPTER IV.

In what manner Clerks[h] are, on account of Grievous Crimes, to be degraded from Holy Orders.

But whereas crimes so grievous are sometimes committed by ecclesiastical persons, that, on account of the atrocity thereof, they must be deposed from holy orders, and delivered over to a secular court: in the which case a certain number of bishops is, according to the canons,[i] required; and, should there be a difficulty in assembling them all, the due execution of the law would be delayed; and, should they on any occasion be able to be present, their residence would be interrupted,—therefore hath the synod ordained and decreed, that it shall be lawful for a bishop, by himself, or by his vicar-general in spiritual matters, even without the presence of other [bishops], to proceed against a clerk, even against

[g] Legales dictas.

[h] I use the word "clerk" to denote one in any ecclesiastical office. See Du Cange and Junius.

[i] Concil. Hispal. II. c. 5.

one who is constituted in the sacred orders of the priesthood, even unto his condemnation, as also to his verbal deposition; and he shall by himself be able to proceed even to actual and solemn degradation from the said ecclesiastical orders and degrees, in the cases wherein the presence of other bishops, in a definite number, is required by the canons;[j] abbots, however, who have the right of using the mitre and crozier by apostolic privilege, if so be that they can be found in the city, or diocese, and can conveniently be present, being called in, and assisting him in this matter; or, in their default, other persons constituted in ecclesiastical dignity, who are of weight by their age, and recommended by their knowledge of law.

CHAPTER V.

The Bishop shall take Summary Cognizance of Graces referring to the remission of a Sin, or a Punishment.

And because it sometimes happens that, under false pleas, which yet seem probable enough, certain persons artfully get possession of[k] graces, by which the punishments inflicted upon them by the just severity of the bishops are either wholly remitted, or are mitigated; whereas it is a thing not to be borne, that a lie, which is so exceedingly displeasing to God, should not only itself go unpunished, but even obtain the pardon of another crime for him that tells it; [the synod] hath for this cause ordained and decreed as follows:—A bishop, residing at his own church, shall of himself, as delegate of the Apostolic See, even summarily take cognizance of the surreption or obreption of any grace, obtained under feigned pleas, for the absolution of any public crime or delinquency, concerning which he himself had commenced inquiry, or for the remission of a punishment to which the criminal had by himself been condemned; and he shall not admit the said grace, after that it shall have been lawfully evinced, that it was obtained by the statement of a falsehood, or by the suppression of the truth.

[j] Or "in a number defined by the canons."
[k] Extorqueant.

CHAPTER VI.

A Bishop shall not be cited in person, save in a Case of Deposition or Deprivation.

But whereas those subject unto a bishop, even though they have been justly chastised, do nevertheless often bear him violent enmity, and, as though they had suffered some wrong, are wont to object false charges against him, in order that they may annoy him by what means soever lie in their power, the fear of which annoyance doth for the most part render him more backward in inquiring into and punishing their delinquencies; therefore, lest a bishop be compelled, both to his own great inconvenience and that of his church, to abandon the flock intrusted to him, and that he may not be forced, to the diminution of the episcopal dignity, to wander about, [the synod] hath thus ordained and decreed:—A bishop, even though he be proceeded against *ex officio*, or by way of inquiry, or denunciation, or accusation, or in any other way soever, shall not be cited or admonished to appear in person, except for a cause for which he might come to be deposed from, or deprived of his office.

CHAPTER VII.

The Qualifications of Witnesses against a Bishop are described.

The witnesses in a criminal cause shall not be received against a bishop, whether for information or proofs, or in any other way touching the leading points of the case, unless their testimonies agree, and they be of good converse, esteem, and reputation; and if they shall have made any deposition through enmity, rashness, or motives of interest, they shall be mulcted in grievous penalties.

CHAPTER VIII.

Important Episcopal Causes shall be taken cognizance of by the Supreme Pontiff.

The causes of bishops, when, on account of the quality of the crime objected, they have to appear [in person], must be brought before the sovereign pontiff, and by him be decided.

DECREE FOR PROROGUING THE DEFINITION OF FOUR ARTICLES TOUCHING THE SACRAMENT OF THE EUCHARIST, AND FOR GIVING A SAFE-CONDUCT TO PROTESTANTS.

The same holy synod, desiring to pluck, like thorns, out of the field of the Lord, all the errors which have sprung up anew touching this most holy sacrament, and wishing to provide for the salvation of all the faithful, her daily prayers being piously offered up to Almighty God, amongst the other articles pertaining to this sacrament, which have been treated of with the most diligent inquiry into Catholic truth, very many and most accurate disputations, according to the weightiness of the matters, having been held, and the opinions also of the most eminent theologians having been ascertained; has likewise treated of these. Whether it be necessary unto salvation, and prescribed of divine right, that all the faithful of Christ should receive the said venerable sacrament under both species. And, whether he receives less, who communicates under either species, than he who communicates under both. And, whether Holy Mother Church hath erred, in communicating, under the species of bread only, the laity, and priests when not celebrating. And, whether little children also are to be communicated.[1] But, because those of the most noble province of Germany, who call themselves Protestants, desire to be heard by the holy synod upon these articles before they are defined, and for this reason have solicited from it the public faith, that they may be permitted to come hither in safety, and dwell in this city, and speak freely and propound their opinions before the synod, and afterwards depart when they please; this holy synod, although it has, with great longing, looked forward for many months past for their coming, nevertheless, as an affectionate mother that groaneth and is in travail, most especially desiring and labouring after this, that, among those who are reckoned under the Christian name, there may be no schisms, but that, even as all acknowledge the same God and Redeemer, so all may *speak the same thing*,[m] believe the same, think the same,

[1] I must remark, once for all, that the verb *communicare* is used both of the person who communicates and of the priest who administers the sacrament. Hence the application of "communicandos" in the present passage.

[m] 1 Cor. i. 10.

trusting in the mercy of God, and hoping that it will come to pass, that they may be brought back to the most holy and salutary concord of one faith, hope, and charity, yielding willingly to them herein, [the said synod] hath, as far as concerns itself, given and granted, agreeably to their request, a public security and faith, which they call a safe-conduct, of the tenor which will be written down below; and for their sakes it hath postponed the definition of those articles until the second next session, which, that they may conveniently be present thereat, it hath indicted for the festival day of the conversion of Saint Paul, which will be on the 25th day of the month of January of the ensuing year. And it furthermore ordains this, that the sacrifice of the mass, on account of the close connection between both subjects, shall be treated of in the same session; and that it will meanwhile treat of the sacraments of penance and extreme unction in the next session. But this it hath decreed to be holden on the festival of Saint Catharine, virgin and martyr, which will be the 25th of November; and that at the same time, in both [sessions], it shall proceed with the matter of reformation.

SAFE-CONDUCT GRANTED TO THE PROTESTANTS.

The sacred and holy general synod of Trent, lawfully assembled in the Holy Ghost, the same legate and nuncios of the holy Apostolic See presiding therein,—grants, as far as regards the holy synod itself, unto all and each one throughout the whole of Germany, whether ecclesiastic or secular persons, of whatsoever degree, estate, condition, and quality they be, who may wish to repair to this œcumenical and general council, so that on those things which are to be treated of in the said synod, they may be able and shall have the power in all liberty to confer, make proposals, and treat, to come freely and safely to the said œcumenical council, and there remain and abide, and propound therein, as well in writing as by word, as many articles as to them shall seem good, and to confer and dispute, without any abuse or contumely, with the fathers, or with those who may have been selected by the said holy synod; as also to withdraw whensoever it shall please them, the public faith and full security, which they call a safe-conduct, with all and each of the necessary and suitable clauses and decrees, even though they

ought to be expressed specifically, and not in general terms, which it is its wish to be considered as expressed. It hath furthermore pleased the holy synod, that if, for their greater liberty and security, they desire that certain judges be deputed on their behalf, in regard of crimes whether committed, or that may be committed by them, they shall themselves nominate those who are well disposed towards them, even though the said crimes should be ever so enormous, and should savour of heresy.

SESSION THE FOURTEENTH,

Being the fourth under the Sovereign Pontiff Julius III., celebrated on the twenty-fifth of November, 1551.

DOCTRINE TOUCHING THE MOST HOLY SACRAMENTS OF PENANCE AND EXTREME UNCTION.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost, the same legate and nuncios of the holy Apostolic See presiding therein,—although, in the decree touching justification, there has been, through certain reasons of necessity, arising from the connection of the subjects, much discourse introduced touching the sacrament of penance; so great, nevertheless, in these our days, is the multitude of different errors concerning this sacrament, that it will be of no small public utility to have delivered a more exact and fuller definition thereof, wherein all errors, under the protection of the Holy Ghost, having been pointed out and extirpated, Catholic truth may be rendered clear and distinct; which this holy synod doth now set before all Christians to be perpetually retained.

CHAPTER I.

Of the Necessity and Institution of the Sacrament of Penance.

If, in all the regenerate, such were their gratitude towards God as that they constantly preserved the righteousness received in baptism by His bounty and grace; there would not have been need that another sacrament, besides that of baptism itself, should be instituted for the remission of sins.

But because God, rich in mercy, *knoweth our frame*,[n] he hath bestowed a remedy of life even upon those who, after baptism, may have delivered themselves up to the servitude of sin and the power of the devil, the sacrament, to wit, of penance, by which the benefit of Christ's death is applied to those who have fallen after baptism. Penitence was indeed ever necessary, in order to attain to grace and justice, for all men who had defiled themselves by any deadly sin, even for those who had begged to be washed by the sacrament of baptism; that so, their perverseness cast aside and amended, they might, with a hatred of sin and a pious sorrow of mind, detest so great an offence of God. Whence the prophet saith: *Be turned, and do penance from all your iniquities, and iniquity shall not be your ruin.*[o] The Lord also said,—*Except ye do penance, ye shall all likewise perish.*[p] And Peter, the prince of the apostles, recommending penitence to sinners who were about to be initiated by baptism, said, *Do penance, and be baptized every one of you.*[q] Nevertheless, neither before the coming of Christ was penitence a sacrament, nor is it such, since his coming, to any one previously to baptism. But the Lord then especially instituted the sacrament of penance, when, being raised from the dead, He breathed upon His disciples, saying, *Receive ye the Holy Ghost; whose sins ye shall remit, they are remitted unto them, and whose sins ye shall retain, they are retained.*[r] By which action so signal, and words so clear, the consent of all the fathers has ever understood, that the power of *remitting and retaining sins* was communicated to the apostles and their lawful successors, unto the reconciling of the faithful who have fallen after baptism. And the Novatians,[s] who of old pertinaciously denied the power of forgiving, the Catholic Church with great reason repudiated and condemned as heretics; wherefore this holy synod, approving and receiving as most true this meaning of those words of our Lord, condemns the laboured interpretations of those who, contrary to the institution of this sacrament, falsely wrest those words to

[n] Ps. cii. 14 (ciii. 14). [o] Ezek. xviii. 30.

[p] Luke xiii. 5. I may observe that all these passages are misrepresented, "penance" being substituted for "repentance."

[q] Acts ii. 38. [r] John xx. 22, sq.

[s] See Euseb. Hist. Eccl. vi. 8.

the power of preaching the word of God, and of announcing the Gospel of Christ.

CHAPTER II.

On the Difference between the Sacrament of Penance and that of Baptism.

But this sacrament is clearly perceived to be different from baptism, for many reasons. For, besides that it is very far different indeed in matter and form, by which the essence of a sacrament is made up, it is certainly known that the minister of baptism need not be a judge, since the Church exercises judgment on no one who has not first entered therein through the gate of baptism. For, *What have I*, saith the Apostle, *to do to judge them that are without?*[t] It is otherwise with those who are of *the household of faith*,[u] whom Christ our Lord has once, by the laver of baptism, made the members of His own body.[v] For these, if they should afterwards have defiled themselves by any crime, He would no longer will that they be cleansed by a repetition of baptism, that being nowise lawful in the Catholic Church, but be placed as criminals before this tribunal; so that, by the sentence of the priests, they might be freed, not once only, but as often as, being penitent, they should, from their sins committed, flee thereunto. Furthermore, one is the fruit of baptism, and another that of penance. For, by baptism *putting on Christ*,[w] we are therein made entirely a new creature, obtaining a full and entire remission of all sins; unto which newness and entireness, however, we are in no wise able to arrive by the sacrament of penance, without many tears and labours on our part, the divine justice demanding this; so that penance has with reason been styled by holy fathers a laborious kind of baptism. And this sacrament of penance is necessary unto salvation for those who have fallen after baptism; even as baptism itself is for those who have not as yet been regenerated.

CHAPTER III.

On the Parts and Fruits of this Sacrament.

The holy synod furthermore teacheth, that the form of the sacrament of penance, in which its force chiefly consists,

[t] 1 Cor. v. 12.
[u] Gal. vi. 10.
[v] Cf. 1 Cor. xii. 12, sq.
[w] Gal. iii. 27.

is placed in those words of the minister, *I absolve thee*, &c.; to which words indeed certain prayers are, according to the custom of holy Church, laudably joined; which, nevertheless, by no means regard the essence of that form, neither are they necessary unto the administration of the sacrament itself. But the acts of the penitent himself, to wit, contrition, confession, and satisfaction, are as it were the matter of this sacrament. Which acts, inasmuch as they are, from God's institution, required in the penitent for the integrity of the sacrament, and for the full and perfect remission of sins, are for that reason called the parts of penance. But the thing indeed, and the effect of this sacrament, as far as appertains to its force and efficacy, is reconciliation with God, which sometimes, in pious persons, who receive this sacrament with devotion, is wont to be accompanied by peace and serenity of conscience, with earnest consolation of spirit. The holy synod, delivering these matters touching the parts and the effect of this sacrament, at the same time condemns the opinions of those who contend, that, the terrors which smite the conscience,[x] and faith, are the parts of penance.

CHAPTER IV.

On Contrition.

Contrition, which possesses the first place amongst the aforesaid acts of the penitent, is a sorrow of mind, and a detestation for the sin committed, with the purpose of not sinning for the future. Now this movement of contrition was at every time necessary for obtaining the pardon of sins; and, in a man who has fallen after baptism, it thus at length prepares for the remission of sins, if it be united with confidence in the divine mercy, and with the desire of performing the other things which are required for rightly receiving this sacrament. The holy synod therefore declares, that this contrition not only contains a cessation from sin, and the purpose and beginning of a new life, but also a hatred of the old, according to that saying: *Cast away from you all your iniquities, in which you have transgressed, and make to yourselves a new heart and a new spirit.*[y] And assuredly he who

[x] Incussos conscientiæ. [y] Ezek. xviii. 31.

has considered those cries of the saints: *Against thee only have I sinned, and have done evil in thy sight,*[z] *I am weary with my groaning, every night I will wash my bed,*[a] *I will recount to thee all my years, in the bitterness of my soul;*[b] and others of this kind, will easily understand that they flowed from a certain vehement hatred of their past life, and from a great detestation of sins. [The synod] teaches furthermore, that, although it may sometimes happen that this contrition is perfect through charity, and reconciles man with God before this sacrament be actually received, the said reconciliation, nevertheless, is not to be ascribed to that contrition, without the desire of the sacrament which is included therein. And as to that imperfect contrition, which is called attrition, because it is commonly conceived either from the consideration of the turpitude of sin, or from the fear of hell and of punishments, it declares that if, with the hope of pardon, it exclude the will to sin, it not only does not make a man a hypocrite, and a greater sinner, but that it is even a gift of God, and an impulse of the Holy Ghost, who does not indeed as yet dwell in the penitent, but only moves him, whereby the penitent being assisted, prepares a way for himself unto justice. And although this [attrition] cannot of itself, without the sacrament of penance, bring the sinner unto justification, yet does it dispose him to obtain the grace of God in the sacrament of penance. For, profitably stricken with this fear, the Ninevites, at the preaching of Jonah,[c] did penance full of terror, and obtained mercy from the Lord. Wherefore falsely do some calumniate Catholic writers, as though they had stated that the sacrament of penance confers grace without good motion on the part of those who receive it: a thing which the Church of God never taught or thought. And falsely also do they teach that contrition is extorted and compelled, not free and voluntary.

CHAPTER V.

On Confession.

From the institution of the sacrament of penance already explained, the universal Church has always understood, that

[z] Ps. l. 6 (li. 4).
[a] Ps. vi. 6.
[b] Is. xxxviii. 15, "recogitabo tibi omnes annos meos in amaritudine animæ meæ."
[c] See Jonah iii. 5.

the entire confession of sins was also instituted by the Lord, and is of divine right necessary to all who have fallen after baptism; because that our Lord Jesus Christ, when about to ascend from earth to heaven, left priests His own vicars, as presidents and judges, before whom all the mortal crimes, into which the faithful of Christ may have fallen, should be brought, to the end that, according to the power of the keys, they may pronounce the sentence of remission or retention of sins. For it is certain, that priests could not have exercised this judgment, the cause being unknown; neither indeed could they have observed equity in enjoining punishments, if they should have declared their sins in general only, and not rather specifically, and singly. Hence it is gathered that all the deadly sins, of which, after a diligent examination of themselves, they have consciousness, must needs be enumerated by penitents in confession, even though those sins be most hidden, and committed only against the two last precepts of the decalogue;[d] which sometimes wound the soul more grievously, and are more dangerous, than those which are committed outwardly. For venial sins, by which we are not excluded from the grace of God, and into which we more frequently fall, although they be rightly and profitably, and without any presumption declared in confession, as the custom of pious persons shows, yet may be passed over without guilt, and be expiated by many other remedies. But whereas, all mortal sins, even those of thought, render men *children of wrath*,[e] and enemies of God, it is necessary to seek also for the pardon of them all from God, with an open and modest confession. Wherefore, while the faithful of Christ are anxious to confess all the sins which occur to their memory, they without doubt lay them all open before the mercy of God to be forgiven. But they who act otherwise, and knowingly keep back certain [sins], set nothing before the divine bounty to be remitted through the priest. For if the sick be ashamed to display his wound to the physician, his medical art cures not that which it knows not. It is furthermore inferred, that those circumstances also, which change the species of the sin, are to be explained in confession, because that, without

[d] See Deut. v. 21. [e] Ephes. ii. 3.

them, the sins are neither entirely set forth by the penitents, nor are they known [fully] to the judges; and it cannot be that they can rightly estimate the grievousness of the crimes, and impose on the penitents the penalty which ought to be inflicted, on account of them. Whence it is unreasonable to teach that these circumstances have been devised by idle men; or, that one circumstance only is to be confessed, to wit, that one has sinned against a brother. But it is also impious to say, that confession, enjoined to be made in this manner, is impossible, or to call it a slaughter-house of consciences: for it is certain, that in the Church nothing else is required of penitents, but that, after each has examined himself diligently, and examined all the folds[f] and recesses of his conscience, he confess those sins by which he shall remember that he has in a deadly manner offended his Lord and God: whilst the other sins, which do not occur to him after diligent considering, are understood to be included as a whole in that same confession; for which sins we confidently say with the prophet: *From my secret* [*faults*] *cleanse me O Lord.*[g] Now the very difficulty of such a confession, and the shame of laying bare one's sins, might indeed seem grievous, if it were not alleviated by the so many and so great advantages and consolations, which are most assuredly conferred by absolution upon all who worthily approach this sacrament. But, as to the manner of confessing secretly to a priest alone, although Christ has not forbidden that a person may, in punishment of his own sins, and for his own humiliation, as well for an example unto others as for the edification of the offended Church, confess his sins publicly; nevertheless this is not commanded by a divine precept, neither would it be altogether prudent if it should be enjoined by any human law, that sins, especially such as are secret, should be laid open by a public confession. Wherefore, whereas the secret sacramental confession, the Holy Church hath used from the beginning, and doth still also use, has always been commended by the most holy and the most ancient fathers with great and unanimous consent, the vain calumny is manifestly refuted of those, who are not ashamed to teach, that confession is

[f] Sinus. [g] Ps. xviii. 13 (xix. 12).

alien from the divine command, and is a human invention, and that it took its rise from the fathers assembled in the Council of Lateran: for the Church did not, through the Council of Lateran, ordain that the faithful of Christ should confess, a thing which it knew to be necessary, and instituted of divine right, but that the precept of confession should be fulfilled, at least once a year, by all and each, when they should have attained to years of discretion. Whence, throughout the universal Church, to the great benefit of the souls of the faithful, the salutary custom is now observed of confessing at that most sacred and most acceptable time of Lent, which custom this holy synod most highly approves and embraces, as pious, and with reason to be retained.

CHAPTER VI.

Touching the Ministry of this Sacrament, and Absolution.

But, as respects the minister of this sacrament, the holy synod declares all these doctrines to be false, and utterly alien from the truth of the Gospel, which perniciously extend the ministry of the keys to any other men soever, besides bishops and priests; supposing that those words of our Lord, *Whatsoever ye shall bind on earth, shall be bound also in heaven, and whatever ye shall loose on earth shall be loosed also in heaven;*[h] and, *Whose sins ye shall remit, they are remitted unto them, and whose sins ye shall retain, they are retained;*[i] were in such wise addressed indifferently and indiscriminately to all the faithful of Christ, as that every one has the power of remitting sins, contrary to the institution of this sacrament, public sins, to wit, by rebuke, provided he that is rebuked shall acquiesce, but secret sins by a voluntary confession made to any person soever. It also teaches, that even priests, who are held in deadly sins, through the virtue of the Holy Ghost bestowed in ordination, exercise the function of remitting sins, as the ministers of Christ; and that they think erroneously who contend that this power exists not in bad priests. But although the absolution of the priests is the dispensation of another's bounty, yet is it not a bare ministry only, whether

[h] Matt. xviii. 18. [i] John xx. 23.

of announcing the Gospel, or of declaring that sins are remitted, but is after the manner of a judicial act, which by sentence is pronounced by the priest as by a judge. And therefore the penitent ought not so to flatter himself concerning his own personal faith, as to think that, even though there be no contrition on his part, or no intention on the part of the priest acting seriously and absolving truly, he is, nevertheless, truly, and in the eyes of God absolved, on account of his faith alone. For neither would faith without penance bestow any remission of sins; nor would he be otherwise than most negligent of his own salvation, who should know that a priest but absolved him in jest, but should not earnestly seek for another who would act in earnest.

CHAPTER VII.

On the Reservation of Cases.

Since, therefore, the nature and character of a judgment require this, that sentence be passed only on those who are subject thereunto, it has ever been a persuasion in the Church of God, and this synod confirms it as a thing most true, that that absolution, which a priest pronounces upon one over whom he has not either an ordinary or a sub-delegated jurisdiction, ought to be of no moment soever. And to our most holy Fathers it hath seemed to appertain greatly to the discipline of the Christian people, that certain more atrocious and more grievous crimes should be absolved, not by all priests, but only by the highest: whence the Sovereign Pontiffs, by virtue of the supreme power delivered to them in the universal Church, were, with reason, able to reserve certain more grievous cases of crimes for their special judgment. Since, moreover, all things that are from God are well ordered, it is not to be doubted, but that this same may lawfully be done by all bishops, each in his own diocese, unto edification, however, not unto destruction, by virtue of the authority, above that of the other inferior priests, delivered to them over their subjects, especially as far as concerns those crimes to which the censure of excommunication is annexed. But it is consonant to the divine authority, that this reservation of cases should have effect, not merely in external polity, but also in the sight of God. Nevertheless,

lest any should perish on this very account, it has always been very piously observed in the said Church of God, that there be no reservation at the point of death, and therefore, that all priests may [then] absolve all penitents whatsoever from all manner soever of sins and censure: and whereas, save only at that point [of death], priests have no influence in reserved cases, let them endeavour to persuade penitents to this alone, to repair to superior and lawful judges for the benefit of absolution.

CHAPTER VIII.

On the Necessity and Fruit of Satisfaction.

Lastly, as concerns satisfaction, which as it has, above all the parts of penance, been at all times recommended to the Christian people by our Fathers, so is it the one especially which in our age is, under the highest pretext of piety, impugned by those, who have *a form of godliness, but have denied the power thereof*:[j] the holy synod declares, that it is absolutely false, and alien from the word of God, that the guilt is never remitted by the Lord, without the whole punishment also being pardoned. For clear and distinct examples are found in the sacred writings, by which, besides by divine tradition, this error is refuted in the plainest manner possible. And, in good truth, the nature of divine justice seems to demand, that in one manner,[k] they, who through ignorance have sinned before baptism, be received into grace; and in another, those who, after having been freed from the servitude of sin and of the devil, and having received the gift of the Holy Ghost, have not feared, knowingly *to defile the temple of God*,[l] *and to grieve the Holy Spirit*.[m] And it becomes the divine clemency, that sins be not in such wise remitted unto us without any satisfaction, as that, occasion being obtained, thinking sins less grievous,

[j] 2 Tim. iii. 5.

[k] The phrase "aliter ab eo," followed by "aliter vero," seems extraordinary Latinity even for the middle ages. I cannot help thinking that the reading should be "aliter a Deo." A similar mistake has occurred twice in the Benedictine and other editions of St. Gregory's Homilies on the Gospels, but I have not my translation at hand, and cannot point out the precise passages.

[l] 1 Cor. iii. 17.

[m] Ephes. iv. 30.

we, *having done* as it were an insult and a *despite unto the Holy Ghost*,[n] should fall into more grievous sins, *treasuring up wrath against the day of wrath*.[o] For, without doubt, these satisfactory punishments greatly recall from sin, and restrain as it were with a bridle, and make penitents more cautious and watchful for the future; they also furnish remedies for the remains of sin, and, by opposite acts of the virtues, they remove the vicious habits acquired by evil living. Neither indeed was there any way ever in the Church of God accounted surer to turn away the punishment impending at the hands of the Lord, than that men should, with true sorrow of mind, frequently practise these works of penitence. It adds further to these things, that, whilst we, by making satisfaction, suffer for our sins, we are made conformable to Christ Jesus, who satisfied for our sins,[p] from whom all our *sufficiency is*;[q] thence, having also a most sure pledge, that *if we suffer with him, we shall also be glorified with him*.[r] But neither is this satisfaction, which we discharge for our sins, so much our own, as not to be through Jesus Christ. For we who can do nothing of ourselves, as of ourselves, can do all things, He co-operating, who strengthens us.[s] Thus, man has not wherein he should glory, but all our glorying is in Christ:[t] in whom we live; in whom we merit; in whom we satisfy; *bringing forth fruits worthy of penance*,[u] which from him derive their virtue; by him are offered unto the Father; and through him are accepted by the Father. Therefore the priests of the Lord ought, as far as the Spirit and prudence shall suggest, to enjoin salutary and fitting satisfactions, according to the quality of the crimes and the ability of the penitents; lest, if by chance they connive at sins, and deal too indulgently with penitents, by enjoining certain very light works for the most grievous crimes, they be made partakers of other men's sins. But let them have before their eyes, that the satisfaction which they impose be not only unto the preservation of a new life, and a medicine for infirmity, but also unto the avenging and punishing of past sins. For likewise, the

[n] Heb. x. 29.
[o] Rom. ii. 5.
[p] Cf. 1 John ii. 2.
[q] 2 Cor. iii. 5.
[r] Rom. viii. 17.
[s] Cf. 2 Cor. iii. 5; Phil. iv. 13.
[t] Acts xvii. 28.
[u] Matt. iii. 18.

ancient fathers both believe and teach, that the keys of the priests were given, not to *loose* only, but also to *bind*. But not, therefore, did they suppose that the sacrament of Penance is a court[v] of wrath or of punishments; even as no Catholic ever thought, that, by this kind of satisfactions on our part, the virtue of the merit and of the satisfaction of our Lord Jesus is either obscured, or to any extent lessened: which, while the innovators wish to understand, they in such wise teach that a new life is the best penance, as to take away the entire virtue and use of satisfaction.

CHAPTER IX.

Concerning Works of Satisfaction.

[This synod] teaches furthermore, that so great is the liberality of the divine munificence, that we are enabled through Jesus Christ to make satisfaction with God the Father, not only by punishments voluntarily undertaken of ourselves for the punishment of sin, or by those imposed at the discretion of the priest, according to the measure of our delinquency; but also, which is the greatest proof of love, by the temporal scourges inflicted of God, and endured patiently by us.

ON THE SACRAMENT OF EXTREME UNCTION.

It hath, moreover, seemed good to the holy synod, to subjoin to the preceding doctrine on penance the one following touching the sacrament of Extreme Unction, which was regarded by the Fathers as the completion, not only of penance, but also of the whole Christian life, which ought to be a perpetual penance. First, therefore, concerning its institution, it declares and teaches, that our most clement Redeemer, who would have his servants at all times provided with salutary remedies against all the weapons of all their enemies, like as, in the other sacraments, He prepared the greatest aids, by the which, during life, Christians may preserve themselves whole from every more grievous evil of the spirit, so did He guard the close of life by the sacrament of Extreme Unction, as with a most firm defence. For although *our adversary* seeks and seizes opportunities throughout our

[v] Forum.

whole life, to be able in any way *to devour* our souls; yet, there is no time wherein he more vehemently strains all the powers of his cunning to ruin us utterly, and, if he possibly can, to make us fall even from trust in the divine mercy, than when he perceives the end of our life to be impending.

CHAPTER I.

Concerning the Institution of the Sacrament of Extreme Unction.

Now, this sacred unction of the sick was instituted by Christ our Lord, as truly and properly a sacrament of the new law, hinted at indeed in Mark,[w] but recommended and promulgated to the faithful by James the apostle, and brother of the Lord. *Is any*, he saith, *sick among you? Let him bring in the elders of the Church, and let them pray over him, anointing him with oil in the name of the Lord; and the prayer of faith shall save the sick; and the Lord shall raise him up; and if he be in sins, they shall be forgiven him.*[x] In which words, as the Church hath learned from apostolic tradition, received from hand to hand, he teaches the matter, the form, the proper minister, and the effect of this salutary sacrament. For the Church hath understood the matter thereof to be oil blessed by a bishop, seeing that the unction most aptly represents the grace of the Holy Ghost, with which the soul of the sick person is invisibly anointed; and furthermore, that those words, "By this unction," &c. are the form.

CHAPTER II.

On the Effect of this Sacrament.

Moreover, the thing [signified], and the effect of this sacrament, are explained in those words; *And the prayer of faith shall save the sick, and the Lord shall raise him up, and if he be in sins, they shall be forgiven him.* For this thing is the grace of the Holy Ghost; whose anointing cleanses away sins, if there be any still to be expiated, and the remains of sin; relieves and strengthens the soul of the sick, by exciting in him a great confidence in the divine mercy; whereby the sick being relieved, bears more easily

[w] See Mark vi. 13. [x] James v. 14, 15.

the inconveniences and pains of sickness; and more readily resists the temptations of the devil, who lies in wait for his heel;[y] and sometimes obtains bodily health, when it is expedient for the welfare of the soul.

CHAPTER III.

On the Minister of this Sacrament, and on the Time when it ought to be administered.

And now, as pertains to the prescribing who ought to receive, and who to administer this sacrament, this also was only obscurely delivered in the words aforesaid. For it is also shown there, that the proper ministers of this sacrament are the *elders of the Church;* by which name are to be understood, in that place, not the elders by age, or the foremost amongst the people, but, either bishops, or priests by them rightly ordained *by the laying on of hands by the presbytery.*[z] It is also declared, that this unction is to be applied to the sick, but especially to those who lie in such danger as to seem placed at their departure from this life: whence, also, it is called the sacrament of the departing. But if the sick should recover, after having received this unction, they may again be aided by the succour of this sacrament, when they fall into another like danger of death. Wherefore, they are on no account to be hearkened unto, who, contrary to so manifest and clear a declaration of the apostle James, teach that this unction is either a human figment, or is a rite received from the fathers, which neither hath a command from God, nor a promise of grace: nor those who assert that it hath already ceased, as though it were only to be referred to the grace of healing in the primitive church; nor those who say that the rite and usage which the holy Roman Church observeth in the administration of this sacrament is repugnant to the declaration of the apostle James, and that it is, therefore, to be changed into some other: nor finally, those who affirm that this Extreme Unction may without sin be contemned by the faithful: for all these things are most manifestly at variance with the distinct words of so great an apostle. Neither, assuredly,

[y] Gen. iii. 15. [z] 1 Tim. iv. 14.

does the Roman Church, the mother and mistress of all others, observe aught else in administering this unction, as regards those things which make up the substance of this sacrament, but what the blessed James has prescribed. Nor indeed can the contempt of so great a sacrament be without a heinous sin, and an injury to the Holy Ghost himself.

These are the things which this holy œcumenical synod professes and teaches, and proposes unto all the faithful of Christ, to be believed and held, touching the sacraments of Penance and Extreme Unction. But it delivers the following canons to be inviolably observed; and, perpetually condemns and anathematizes those who assert the contrary.

ON THE MOST HOLY SACRAMENT OF PENANCE.

CANON I. If any one shall say, that in the Catholic Church penance is not truly and properly a sacrament, instituted by Christ our Lord for reconciling the faithful unto God, as often as they fall into sin after baptism; let him be anathema.

CANON II. If any one, confounding the sacraments, shall say, that baptism is itself the sacrament of Penance, as though these two sacraments were not distinct, and that therefore penance is not rightly called "a second plank after shipwreck;" let him be anathema.

CANON III. If any one shall say, that those words of the Lord the Saviour, *Receive ye the Holy Ghost, whose sins ye shall remit, they are remitted unto them, and whose sins ye shall retain, they are retained,*[a] are not to be understood of the power of remitting and of retaining sins in the sacrament of Penance, as the Catholic Church has always from the beginning understood them; but wrests them, contrary to the institution of this sacrament, to the power of preaching the Gospel; let him be anathema.

CANON IV. If any one shall deny, that, unto the entire and perfect remission of sins, three acts in the penitent, which are as it were the matter of the sacrament of Penance, are required, to wit, contrition, confession, and satisfaction, which are called the three parts of penance; or saith that there are only two parts of penance, to wit, the terrors which

[a] John xx. 22, 23.

smite the conscience upon being convinced of sin, and the faith, conceived by the Gospel, or by the absolution, whereby one believes that his sins are remitted unto him through Christ; let him be anathema.

CANON V. If any one shall say, that the contrition which is acquired by means of the examination, collection, and detestation of sins, whereby one *thinks over his years in the bitterness of his soul*,[b] by pondering on the grievousness, the multitude, the foulness of his sins, the loss of eternal blessedness, and the having incurred eternal damnation, [joined] with the purpose of a better life, is not a true and profitable sorrow, doth not prepare unto grace, but maketh a man a hypocrite and a greater sinner; finally, that this is a forced and not a free and voluntary sorrow; let him be anathema.

CANON VI. If any one shall deny, either that sacramental confession was instituted, or is necessary unto salvation, of divine right; or shall say, that the manner of confessing secretly to a priest alone, which the Catholic Church hath ever observed from the beginning, and doth observe, is alien from the institution and command of Christ, and is a human invention; let him be anathema.

CANON VII. If any one shall say, that, in the sacrament of Penance, it is not, of divine right, necessary unto the remission of sins, to confess all and individually the deadly sins, the memory of which, after due and diligent previous meditation is held, even those which are secret, and those which are opposed to the two last commandments of the Decalogue, as also the circumstances which change the species of a sin; but [saith] that such confession is only useful to instruct and console the penitent, and that it was of old only observed in order to impose a canonical satisfaction; or shall say, that they, who strive to confess all their sins, wish to leave nothing to the divine mercy to pardon; or, finally, that it is not lawful to confess venial sins; let him be anathema.

CANON VIII. If any one shall say, that the confession of all sins, such as the Church observes, is impossible, and is a human tradition, to be abolished by the pious; or that all and each of the faithful of Christ, of either sex, are not

[b] Is. xxxviii. 15.

obliged thereunto once a year, according to the constitution of the great Council of Lateran, and that, on this account, the faithful of Christ must not be persuaded to confess during Lent; let him be anathema.

CANON IX. If any one shall say, that the sacramental absolution of the priest is not a judicial act, but a bare ministry of pronouncing and declaring sins to be remitted unto him who confesses; provided only he believe himself to be absolved, or [even if] the priest absolve not in earnest, but in joke; or saith, that the confession of the penitent is not required, in order that the priest may be able to absolve him; let him be anathema.

CANON X. If any one shall say, that priests, who are in deadly sin, have not the power of binding and of loosing; or, that not priests alone are the ministers of absolution, but that unto all and each of the faithful of Christ is it said: *Whatsoever ye shall bind upon earth, shall be bound also in heaven; and whatsoever ye shall loose upon earth, shall be loosed also in heaven;*[c] *and, whose sins ye shall remit, they shall be remitted unto them; and whose sins ye shall retain, they are retained;*[d] by virtue of which words every one is able to absolve sins, to wit, public [sins] by rebuke only; provided the person rebuked yield thereto, and secret [sins] by a voluntary confession; let him be anathema.

CANON XI. If any one shall say, that bishops have not the right of reserving cases to themselves, except as regards external polity, and that therefore the reservation of cases hinders not but that a priest may truly absolve from reserved cases; let him be anathema.

CANON XII. If any one shall say, that the whole punishment is always remitted by God, together with the guilt, and that the satisfaction of penitents is no other than the faith whereby they learn that Christ hath made satisfaction for them; let him be anathema.

CANON XIII. If any one shall say, that satisfaction for sins, as regards their temporal punishment, is in no wise made to God, through the merits of Christ, by the punishments inflicted by Him, and patiently borne, or by those enjoined by the priest, nor even by those voluntarily undertaken, as by

[c] Matt. xviii. 18. [d] John xx. 23.

fastings, prayers, almsgivings, or by other works also of piety; and that, therefore, the best penance is merely a new life; let him be anathema.

CANON XIV. If any one shall say, that the satisfactions, by which penitents redeem their sins through Christ Jesus, are not a worship of God, but traditions of men, obscuring the doctrine of grace, and the true worship of God, and the benefit itself of the death of Christ; let him be anathema.

CANON XV. If any one shall say, that the keys are given to the Church, only *to loose*, not also *to bind*; and that, therefore, priests, when they impose punishments on those who confess, act contrary to the end designed by the keys, and contrary to the institution of Christ; and that it is a fiction, that, after eternal punishment has, by virtue of the keys, been removed, there for the most part remains a temporal punishment to be discharged; let him be anathema.

ON THE SACRAMENT OF EXTREME UNCTION.

CANON I. If any one shall say, that extreme unction is not truly and properly a sacrament, instituted by Christ our Lord, and promulgated by the blessed apostle James, but only a rite received from the fathers, or a human invention; let him be anathema.

CANON II. If any one shall say, that the sacred unction of the sick does not confer grace, nor remit sins, nor alleviate the sick; but that it has already ceased, as though the grace of cures were of old only; let him be anathema.

CANON III. If any one shall say, that the rite and usage of extreme unction, which the holy Roman Church observes, is repugnant to the declaration of the blessed apostle James, and that it is therefore to be changed, and that it may, without sin, be contemned by Christians; let him be anathema.

CANON IV. If any one shall say, that the *presbyters of the Church*, whom the blessed James exhorts to be brought to anoint the sick, are not the priests ordained by a bishop, but the seniors in years in each community, and that for this reason a priest alone is not the proper minister of extreme unction; let him be anathema.

DECREE TOUCHING REFORMATION.

Preface.

It is the Office of Bishops to admonish their Subjects, especially those appointed unto the cure of souls, of their duty.

Whereas it is properly the office of bishops to rebuke the vices of all who are subject to them, this will have to be principally their care, that clerks,[e] especially those appointed unto the cure of souls, be blameless, and that they do not, with their connivance, lead an unseemly life. For if they suffer them to be of evil and corrupt manners, how shall they reprove the laity for their vices, who can themselves be by one word silenced by them, in that they suffer clerks to be worse than they? And with what freedom shall priests be able to rebuke laymen, when they have to answer silently to themselves, that they have committed those very same things which they rebuke? Bishops shall therefore charge their clerks, of what rank soever they be, that they be a guide unto the people of God committed to them, in discourse, conservation, and knowledge; being mindful of that which is written; *Be holy, for I too am holy.*[f] And, according to the words of the apostle: *Let them give no offence unto any man, that their ministry be not blamed; but in all things let them approve themselves as the ministers of God,*[g] lest that saying of the prophet be fulfilled in them, *The priests of God profane the holy things, and violate the law.*[h] But, in order that the said bishops may be able to execute this with greater freedom, and may not be hindered therein under any pretext soever, the same sacred and holy, œcumenical and general Synod of Trent,—the same legate and nuncios of the Apostolic See presiding therein,—has thought fit that these canons following be ordained and decreed.

CHAPTER I.

If any, being prohibited, or interdicted, or suspended, advance unto Orders, they shall be punished.

Whereas it is more beseeming and safe for one that is subject, by rendering due obedience to those set over him, to

[e] Or "clergy."
[f] 1 Peter i. 16.
[g] 2 Cor. vi. 3, 4.
[h] Ezek. xxii. 26.

serve in an inferior ministry, than, to the scandal of those set over him, to aspire to the dignity of more exalted degrees; to him, unto whom the ascent to sacred orders shall have been interdicted by his own prelate, from what cause soever, even on account of some secret crime, or in what manner soever, even extra-judicially; or [to him] who shall have been suspended from his own orders, or degrees, or ecclesiastical dignities; no license, conceded against the will of the said prelate, for causing himself to be promoted, nor any restoration to former orders, degrees, dignities, or honours, shall be of any avail.

CHAPTER II.

If a Bishop shall confer any Orders soever on one not subject to him, be he even his own Domestic, without the express consent of [that persons'] proper Prelate, both shall be subjected to a stated Punishment.

And inasmuch as certain bishops of churches which are *in partibus infidelium*,[1] being destitute either of clergy or Christian people, and being little else than wanderers, and having no fixed see; seeking not the things of Christ, but others' sheep, without the knowledge of their own proper pastor, when they find themselves prohibited by this holy synod from exercising pontifical functions in the diocese of another without the express permission of the ordinary of the place, and then only in reference to persons who are subject to the said ordinary, do, in evasion and contempt of the law, of their own rashness, choose as it were an episcopal throne, in a place which is of no diocese, and presume to mark with the clerical character, and to promote even unto the sacred orders of the priesthood, any that resort to them, even though they have no commendatory letters from their own bishops or prelates; by the which it for the most part comes to pass, that, persons being ordained who are but little fit, and are uneducated and ignorant, and who have been rejected by their own bishop as incompetent and unworthy, they are neither able rightly to perform the divine offices, nor to administer the sacraments of the Church: none of the bishops, who are called titular, even though they may reside, or be tarrying in a place within no diocese, even though it be

[1] *I. e.* in places or districts inhabited by unbelievers.

exempted, or in a monastery of what order soever, shall, by force of any privilege granted them to promote during a certain time such as come unto them, be able to promote or to ordain to any sacred or minor orders, or even to the first tonsure, the subject of another bishop, even under the pretext of his being his domestic, fed continually at his own table, without express consent, or letters demissory from [that person's] own bishop. He who doeth contrary thereunto shall be by the very fact suspended during a year from the exercise of pontifical functions; and the person so promoted shall in like manner be suspended from the exercise of the orders so received, for as long as shall seem fit to his own prelate.

CHAPTER III.

The Bishop may suspend his Clergymen, who have been improperly promoted by another, if he find them incompetent.

The bishop has the power of suspending, for the time that shall seem fit to him, from the exercise of the orders received, and may interdict from ministering at the altar, or in any order, any of his clergymen, especially those who are in holy orders, who have been, without his previous examination and commendatory letters, promoted by any authority soever; even though approved as competent by him by whom they have been ordained, but whom he himself shall find but little fit and competent to celebrate the divine offices, or to administer the sacraments of the Church.

CHAPTER IV.

No Clerk shall be exempt from the Correction of the Bishop, even out of the Time of Visitation.

All prelates of the churches, who ought diligently to attend to the correction of the excesses of their subjects, and from whom[1], by the statutes of this holy synod, no clerk is, under the pretext of any privilege soever, considered protected, so that he be not able to be visited, punished, and corrected, according to the sanctions of the canons (provided those prelates be resident in their own churches),

[1] *I. e.* from the exercise of whose authority.

shall have power, as delegates of the Apostolic See unto this end, to correct and chastise, even out of the times of visitation, all secular clerks, howsoever exempted, who would otherwise be subject to their jurisdiction, for their excesses, crimes, and delinquencies, as often as, and whensoever there shall be need; no exemptions, delarations, customs, sentences, oaths, concordates, which only bind the authors thereof, being of any avail to the said clerks, or to their relatives, chaplains, domestics, proctors, or to any others whatsoever, in view and in consideration of the said exempted clerks.

CHAPTER V.

The Jurisdiction of Conservators is confined within certain Limits.

Moreover, whereas certain persons, who, under the plea that divers wrongs and annoyances are offered them in their goods, possessions, and rights, obtain that certain judges be deputed by means of letters conservatory, in order to protect and defend them from such annoyances and wrongs, and to maintain and preserve them in possession, or quasi-possession, of their goods, property, and rights, and not to suffer them to be molested therein; [and whereas] they pervert these letters, in many ways, unto an improper meaning, in many respects opposed to the intention of the donor; therefore, these letters conservatory, with whatsoever clauses or decrees, and under what judges soever deputed, or under what other pretext or colour soever they may have been granted, shall not avail any one, of what dignity and condition soever he may be, even though a chapter, so as, in criminal and mixed causes, to protect the party from being capable of being accused and summoned, and from being subjected to inquiry and proceeded against before his own bishop, or other ordinary superior; or to prevent him from being freely liable to be summoned before the ordinary judge, in regard to any rights which may be pleaded[k] as his from having been conceded [to him]. In civil causes also, if he himself be the plaintiff, it shall in no wise be lawful for him to bring up any one for judgment before his own judges conservatory. And if, in those causes, in which he

[k] Ei ex concessione competierint.

shall be the defendant, it shall happen that the conservator chosen by him shall be declared by the plaintiff to be one suspected by him, or if any controversy shall have arisen between the judges themselves, [that is to say,] the conservator and the ordinary, concerning competency of jurisdiction, the cause shall not be proceeded with, until by arbitrators, chosen in legal form, a decision shall have been made relative to the said suspicion, or competency of jurisdiction. Neither to the said party's domestics, who are in the habit of screening themselves under these letters conservatory, shall they be of any avail, save to two only, and this provided they live at his own proper cost. Nor shall any one enjoy the benefit of such letters longer than for five years. It shall also be unlawful for conservatory judges to have any fixed tribunal.

But in causes relating to wages and to persons in a state of poverty, the decree of this holy synod thereupon shall remain in its full force. But general universities, and colleges of doctors or scholars, places belonging to regulars, as also hospitals actually exercising hospitality, and persons belonging to the said universities, colleges, places, and hospitals, are not [to be understood as] included in this present canon, but are, and are to be considered wholly exempted.

CHAPTER VI.

A Penalty is decreed against Clerks who, being in Holy Orders or holding Benefices, do not wear the Dress beseeming their Order.

But forasmuch as, although the habit doth not make the monk,[1] it is nevertheless needful that clerks always wear a dress suitable to their proper order, that by the decency of their outward apparel they may show forth the inward correctness of their morals; but, in these days, to such a pitch has the rashness of some, and their contempt of religion grown, as that, making but little account of their own dignity, and of the clerical honour, they wear even in public the dress of laymen, setting their feet in different paths, one divine, the other of the flesh; for this reason, all ecclesiastical persons, howsoever exempted, who are either in holy

[1] The usual proverb is "cucullus non facit monachum."

orders or who possess any manner of dignities, personates, or other offices, or benefices ecclesiastical; if, after that they have been admonished by their own bishop, even by a public edict, they shall not wear a becoming clerical dress, suitable to their order and dignity, and agreeably to the ordinance and mandate of the said bishop, they may, and ought to be, compelled thereunto, by suspension from their orders, office, and benefice, and from the fruits, revenues, and proceeds of the said benefices; and also, if after having been once rebuked, they offend again herein, even by deprivation of the said offices and benefices; the constitution of Clement V., published in the Council of Vienne, and beginning *Quoniam*, being hereby renewed and enlarged.

CHAPTER VII.

Voluntary Homicides are never to be ordained: in what Manner Accidental [Homicides are to be ordained].

Whereas too, *he who hath on set purpose slain his neighbour, and by lying in wait for him, is to be taken away from the altar*,[m] because he has of his own will perpetrated a homicide; even though that crime have neither been proved by ordinary legal process, nor be in other wise public, but is secret, such an one can never be promoted unto sacred orders; nor shall it be lawful for any ecclesiastical benefices to be conferred upon him, even though they have no cure of souls; but he shall be for ever destitute of every ecclesiastical order, benefice, and office. But if the homicide be alleged to have been committed not on set purpose, but by accident, or while repelling force by force, that he might defend himself from death, in such wise that, by a kind of right, a dispensation ought to be granted, even for the ministry of holy orders, and of the altar, and for any kind of benefice whatever and dignity, the case shall be committed to the ordinary of the place, or, if there be reason, to the metropolitan, or to the nearest bishop; who shall not be able to dispense, without having taken cognizance of the case, and proved the prayers and allegations, and not otherwise.

[m] Exod. xxi. 14: "If a man come presumptuously upon his neighbour, to slay him with guile; thou shalt take him from mine altar, that he die."

CHAPTER VIII.

It shall be lawful for no one, by Virtue of any Privilege, to punish the Clerks of another.

Furthermore, inasmuch as there are certain persons, some of whom even are true pastors, and have their own sheep, who seek also to rule over the sheep of others, and at times give their attention in such wise to the subjects of others, as to neglect the care of their own; whosoever there may be, even though of episcopal dignity, who may have the privilege of punishing the subjects of another, shall by no means proceed against clerks not subject to him, especially against such as are in holy orders, be they guilty of even atrocious crimes; except with the intervention of the proper bishop of the said clerks, if that bishop be resident in his own church, or of a person to be deputed by the said bishop: otherwise, the proceedings, and all the consequences thereof, shall be wholly without force.

CHAPTER IX.

The Benefices of one Diocese shall under no Pretence be united to the Benefices of another.

And inasmuch as it is with the best reason that dioceses and parishes[n] have been made distinct, and to each flock their proper pastors assigned, and to inferior churches their rectors, each to take care of his own sheep, that ecclesiastical order may not be confounded, or one and the same church in a manner belong to two dioceses, not without grievous inconvenience to those who are subject thereunto; the benefices of one diocese, be they even parochial churches, perpetual vicarages, simple benefices, prestimonies, or prestimonial portions, shall not be united in perpetuity to a benefice, or monastery, or college, or even to a pious place, of another diocese, not even with the view of augmenting divine worship, or the number of beneficiaries, or for any other cause soever; thus explaining the decree of this holy synod touching such unions.

[n] Parochiæ.

CHAPTER X.

Regular Benefices shall be conferred on Regulars.

Benefices of regulars that have been wont to be granted in title to professed regulars, when it shall happen that they become vacant by the death of the incumbent in title, or by his resignation, or otherwise, shall be conferred on religious persons of that order only, or on those who shall be absolutely bound to take the habit, and make that profession, and upon none others, that they *may not wear a garment woven of woollen and linen together.*[o]

CHAPTER XI.

Those Translated to another Order shall remain under obedience in enclosure, and shall be incapable of Secular Benefices.

But inasmuch as regulars, after being translated from one order to another, are wont to obtain permission easily from their superior to remain out of their monastery, whereby occasion is given of their wandering about and apostatizing; no prelate or superior of any order shall be allowed, by force of any faculty soever, to admit any one to the habit and to profession, except on the condition that he shall remain perpetually in enclosure under obedience to his own superior, in the order itself to which he is translated; and one so translated, even though he be one of the canon regulars, shall be wholly incapable of secular benefices, even of cures.

CHAPTER XII.

No one shall obtain a Right of Patronage except through a Foundation, or an Endowment.

No one, moreover, of whatsoever ecclesiastical or secular dignity, can, or ought to acquire or obtain a right of patronage, for any other reason soever, but that he has founded, and built anew, a church, benefice, or chapel; or that he has competently endowed, out of his own proper and patrimonial estate, one already erected, which, however, is without a sufficient endowment. But in case of such founda-

[o] Deut. xxii. 11.

tion or endowment, the institution [thereof] shall be reserved to the bishop, and not to some other inferior person.

CHAPTER XIII.

The Presentation shall be made to the Ordinary; otherwise the Presentation and Institution shall be Null.

Furthermore, it shall not be lawful for a patron, under pretext of any privilege soever, to present any one, in any manner, to the benefices which are under his right of patronage, except to the ordinary bishop of the place, to whom the providing for, or the institution to, the said benefice would, that privilege ceasing, belong of right; otherwise the presentation and institution, which may happen to have followed, shall be, and shall be understood to be, null.

CHAPTER XIV.

The holy synod furthermore declares, that, in the next session, which it has already decreed to be holden on the 25th day of January, of the ensuing year, 1552, it will, together with the sacrifice of the Mass, also apply to, and treat of the sacrament of Orders, and that the subject of reformation will be pursued.

SESSION THE FIFTEENTH,

Being the fifth under the Sovereign Pontiff Julius III., celebrated on the twenty-fifth day of January, 1552.

DECREE FOR PROROGUING THE SESSION.

Whereas, in pursuance of what was decreed in the last sessions, this holy and universal synod has, during these days, most accurately and diligently treated of the things relating to the most holy sacrifice of the Mass, and to the sacrament of Orders, with the view that, in the session this day held, it might publish, as the Holy Ghost should have suggested, decrees on these subjects; and, furthermore, the four articles pertaining to the most holy sacrament of the Eucharist, which had been finally deferred to this session; and, whereas, it thought that in the interim, those would

have presented themselves at this sacred and holy council, who call themselves Protestants, for whose sake it had deferred the publication of those articles, and to whom it had given the public faith, or a safe-conduct,[p] that they might come freely and without any hesitation; nevertheless, since they have not yet come, and petition in their name has been made to the holy synod, that the publication which was to have been made on this day, be deferred until the following session, an assured hope being held out that they will certainly be present long before that session, meanwhile, upon receiving a safe-conduct in a more ample form: The same holy synod, lawfully assembled in the Holy Ghost,—the same legate and nuncios presiding,—desiring nothing more ardently than to remove from amongst the most noble nation of Germany, all dissensions and schisms touching religion, and to provide for its rest, peace, and repose; being ready, should they come, both to receive them kindly, and to listen to them with good-will, and trusting that they will come, not with the design of obstinately opposing the Catholic faith, but of learning the truth, and that they will at last, as becomes those earnest after evangelical truth, acquiesce in the decrees and discipline of holy Mother Church; [this synod] has deferred the next session for the publishing and promulgating of the matters aforesaid, till the festival of St. Joseph, which will be on the nineteenth day of the month of March; in order that they may have sufficient time and leisure, not only to come, but also to propose, before that day arrives, what things soever they may wish. And, that it may take from them all cause for further delaying, it freely gives and grants them the public faith, or a safe-conduct, of the tenor and form which will be hereafter set down. But it ordains and decrees, that, in the mean time, it will treat of the sacrament of Matrimony, and, in addition to the publication of the above-named decrees, it will give its decision thereon, in the same session, and will pursue the subject of Reformation.

SAFE-CONDUCT GIVEN TO THE PROTESTANTS.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same

[p] See Sess. xiii.

legate and nuncios of the Apostolic See presiding therein,—adhering to the safe-conduct given in the last session but one, and enlarging it according to the tenor following below, pledges faith to all men, that by the tenor of these presents, it grants and wholly concedes the public faith, and the fullest and most true security, which they call a safe-conduct, unto all and each, the priests, electors, princes, dukes, marquises, counts, barons, nobles, soldiers, common people, and to all other men soever, of what state, condition, or quality soever they be, of the province and nation of Germany, and to the cities and other places thereof, and to all other ecclesiastical and secular persons, especially those of the Confession of Augsburg, who shall come, or shall be sent with them, to this General Council of Trent, and to those that shall set out, or have already come hither, by what name soever they are entitled, or may be designated, to come freely to this city of Trent, and there to remain, tarry, sojourn, propose, speak, treat of, examine and discuss, any matters whatsoever together with the said synod, and freely to offer and set forth all things whatsoever may seem fit to them, and any articles whatsoever, either in writing, or by word of mouth, and to explain, confirm, and prove them by the holy Scriptures, and by the words, opinions, and reasons of the blessed Fathers, and, if it be needful, even to answer the objections of the general council; and to dispute in a Christian manner, or to confer in charity, without any hindrance, with those who may have been chosen by the council, all opprobrium, railing, and contumely being utterly discarded; and in particular, that the controverted matters shall be treated of in the aforesaid Council of Trent, according to sacred Scripture, and the traditions of the apostles, approved councils, and the consent of the Catholic Church, and the authorities of the holy fathers; this further being added; that they shall not be punished under pretence of religion, or of offences already committed, or that may be committed, in regard thereof; as also, that there shall be no interruption to the divine offices on account of their presence, either upon the journey, or in any place during their progress, stay, or return, or in the city of Trent itself; and that, these matters being concluded or not concluded, whensoever such is their pleasure, or the command and leave

of their superiors, if they shall wish, or any one of them, to return to their own homes, they shall forthwith be able, at their good pleasure, to return freely and securely, without any hindrance, obstacle, or delay, without injury done to their property, or to the honour also and persons of their attendants respectively, with the knowledge, however, and information of those who shall be deputed [hereunto] by the said synod,[q] that so, without guile or fraud, proper care may be taken for their safety. The holy synod also and wills that all clauses soever, which may be necessary convenient for a full, effectual, and sufficient security in coming, sojourning, and returning, be included and contained, and be accounted as contained, in this public faith and safe-conduct. It also expressly declaring,—with a view to their greater security, and the blessing of peace and reconciliation, that if, which far be it! any one, or certain of them, should, either on the journey when coming to Trent, or whilst sojourning at, or returning from that same place, perpetrate or commit any heinous deed, whereby the benefit of this public faith and assurance might be annulled and quashed, wills and grants, that the persons detected in any such crime shall be forthwith punished by their own countrymen, and not by others, with a proportionate chastisement and a sufficient amends, which, on the part of the synod may justly be approved and commended, the form, conditions, and terms of the safe-conduct remaining wholly uninfringed. It also reciprocally wills, that if, which far be it! any one, or certain of this synod, should, either on the journey, or whilst sojourning at, or returning therefrom, perpetrate or commit any heinous act, whereby the benefit of this public faith and assurance may be violated, or in any way set aside, the persons detected in such crime shall be forthwith punished by the synod itself only, and not by others, with a proportionate chastisement and a sufficient amends, to be justly approved and commended on the part of the Germans of the Confession of Augsburg, who may be present here at the time, the present form, conditions, and terms of the safe-conduct remaining wholly uninfringed. The said synod also wills, that it be lawful for all and each of the ambas-

[q] De scientia tamen ab eadem synodo deputandorum.

sadors to go out of the city of Trent to take the air, as often as shall be convenient or necessary, and to return thither; as also freely to send or despatch their messenger or messengers to any places soever, according as the arrangement of their affairs may require, and to receive the said messengers or messenger, despatches or despatch, as often as shall seem fit to them; so as however one or more be associated therewith by those deputed by[r] the council, in order to provide for their safety. And this safe-conduct and security shall stand good and endure, both from the time, and during the time that they shall happen to have been received under the care of the said synod, and the protection of its agents; and further, after they have had a sufficient audience, and twenty days having expired since they have themselves asked, or since the council, upon that audience had, shall have given them notice, to return, it will, all guile and fraud being entirely excluded, restore them, with God's favour, from Trent, to that place of safety which each may select for himself. All which things it promises, and in good faith pledges itself, shall be inviolably observed towards all and each of the faithful of Christ, towards all ecclesiastical and secular princes, and towards all other ecclesiastical and secular persons, of whatsoever state and condition they be, or by whatsoever name designated. Yet further, it promises in true and good faith, all guile and deceit being excluded, that the said synod will neither openly nor covertly seek for any opportunity; nor make use of, nor suffer any one to make use of, any authority, power, right, or statute, privilege of laws or canons, or of any councils soever, especially those of Constance and Sienna, under what form soever of words expressed; to the prejudice in any way of this public faith, and most full security, and of the public and free hearing, granted by this said synod to the above-named; and it derogates from the aforesaid in this instance, and for this occasion. And if the holy synod, or any member thereof, or of their followers, of what condition, state, or pre-eminence soever, shall, which may the Almighty deign to avert, violate the form and terms of the security and safe-conduct as above set down, in any point or clause so-

[r] Compare the similar precept on the preceding page.

ever, and a sufficient amends shall not have forthwith followed, and one that may with reason be approved of and praised by the parties themselves; they may and shall hold the said synod to have incurred all those penalties which, by law divine and human, or by custom, the violators of such safe-conducts can possibly incur, without any excuse or contradiction in this respect.

SESSION THE SIXTEENTH,

Being the sixth and last under the Sovereign Pontiff Julius III., celebrated on the twenty-eighth day of April, 1552.

DECREE FOR THE SUSPENSION OF THE COUNCIL.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the most reverend lords Sebastian, Archbishop of Siponto, and Aloysius, Bishop of Verona, apostolic nuncios, presiding therein, as well in their own proper names as in that of the most reverend and illustrious lord, the legate Marcellus Crescenzio, Cardinal of the holy Roman Church, of the title of Saint Marcellus, is absent by reason of a most grievous illness,—doubts not that it is well known to all Christians, that this œcumenical Council of Trent was first convoked and assembled by Paul, of happy memory, and was afterwards, at the request of the most august Emperor Charles V., restored by our most holy lord Julius III., for this cause especially, that it might bring back to its pristine state, religion, which was miserably divided into diverse opinions in many parts of the world, and especially in Germany; and might amend the abuses and the most corrupt manners of Christians; and whereas very many Fathers, paying no regard to their labours and dangers, had for this end cheerfully flocked together from different countries, and the business was being proceeded with earnestly and happily, in a great concourse of the faithful, and there was no slight hope that those Germans who had stirred up these novelties would come to the council, so disposed, as to acquiesce unanimously in the truthful reasons of the Church; when, in fine, a kind of light seemed

to have dawned upon things; and the Christian commonwealth, before so beaten down and afflicted, began to lift up its head; of a sudden such tumults, such wars blazed forth through the craft of the enemy of mankind, that the council was most inconveniently compelled as it were to pause, and to interrupt its course, and all hope of further progress was taken away at that time; and so far was the holy synod from finding a remedy for the evils and troubles of the Christian world, that, contrary to its own intention, it irritated rather than appeased the minds of many. Whereas, therefore, the said holy synod perceived that all places, and especially Germany, were blazing with arms and discords; that almost all the German bishops, and especially the electoral princes, had withdrawn from the council, in order to provide for their own churches; it resolved not to struggle against so great a necessity, but to be silent until better times; that so the fathers, who could not now act, might return to their own churches to take care of their own sheep, and no longer wear away their time in idleness, useless in both respects. And so, seeing that the state of the times has so required, it decrees that the progress of this œcumenical Synod of Trent shall be suspended during two years, as it doth by this present decree suspend it; under this condition, however, that if things be sooner set at peace, and the former tranquillity return, which it hopes will before long happen, through the blessing of God the best and greatest, the progress of the council shall be considered to have its full force, power, and authority. But if, which may God avert, the lawful impediments aforesaid shall not have been removed at the expiration of the two years, the said suspension shall, as soon as they shall have ceased, be thereupon understood to be removed, and the council shall be, and shall be understood to be, restored to its own force and vigour, without another fresh convocation thereof, the consent and authority of his Holiness, and of the holy Apostolic See, having been given to this decree.

Meanwhile, however, this holy synod exhorts all Christian princes, and all prelates, that they observe, and respectively cause to be observed, as far as concerns them, in their own kingdoms, dominions, and churches, all and each of the

things which have been hitherto ordained and decreed by this sacred œcumenical council.

BULL FOR THE CELEBRATION OF THE COUNCIL OF TRENT, UNDER THE SOVEREIGN PONTIFF PIUS IV.

Paul, bishop, servant of the servants of God, unto the perpetual memory hereof.

On being called, by the condescension alone of God, to the government of the Church, although unequal to so great a burthen, forthwith casting the eyes of our mind around, over every part of the Christian commonwealth, and beholding, not without great horror, how far and wide the pestilence of heresies and schism had penetrated, and how much correction the morals of the Christian people lacked,—we began, according to the duty of our office received, to apply our care and thoughts to the means of extirpating the said heresies, and of doing away with so great and so pernicious a schism, and of amending morals so much corrupted and depraved. But whereas we understood that, for the healing of these evils, that remedy was the most suitable which this Holy See had been accustomed to apply, we formed the resolution of convoking, and, with God's help, celebrating, an œcumenical and general council. That council had indeed been already indicted by our predecessors, Paul III., of happy memory, and by Julius, his successor; but, having been often hindered and interrupted from various causes, it could not be brought to a conclusion. For Paul indeed, after having indicted it first for the city of Mantua, then for Vicenza, he, for reasons expressed in his letters, first of all suspended, and afterwards transferred it to Trent. Then, after the time of its celebration had been, for certain reasons, then also postponed, at length, the suspension having been removed, it was begun in the said city of Trent. But, after a few sessions had been held, and certain decrees made, the said council afterwards, for certain reasons, the Apostolic See also consenting, transferred itself to Bologna. But Julius, who succeeded him, recalled it to the same city of Trent, at which time certain other decrees were made. But whereas fresh tumults were raised in the neighbouring parts of Germany, and a most fierce war was kindled up in Italy and

France, the council was again suspended and postponed; the enemy of mankind, to wit, striving, and throwing difficulties upon difficulties and hindrances in the way, to retard, at least as long as possible, although unable utterly to prevent, a thing so advantageous to the Church. But how greatly, meanwhile, the heresies were increased and multiplied, and propagated, how widely schism spread, we can neither think of, nor tell, without the greatest sorrow of mind. But at length the Lord, kind and merciful, who is never so *angry* that he *remember not mercy*,[a] vouchsafed to bestow peace and unanimity upon Christian kings and princes. Which opportunity being offered, we, relying on His mercy, have come to the strongest hope that, by the said means of a council, an end may be put to these so great evils of the Church. We therefore have judged that the celebration thereof is no longer to be deferred; to the end that schism and heresies may be taken away; that morals may be corrected and reformed; that peace may be preserved amongst Christian princes. Wherefore, mature deliberation having been had with our venerable brethren the cardinals of the holy Roman Church, and having also acquainted with this our purpose our most dearly beloved sons in Christ, Ferdinand, emperor elect of the Romans, and other kings and princes, whom, even as we had promised ourselves from their great piety and wisdom, we found most ready to aid in the celebration of the said council: We, to the praise, honour, and glory of Almighty God, and for the advantage of the universal Church, with the advice and assent of our said venerable brethren, and relying and resting on the authority of God Himself, and of the blessed apostles Peter and Paul, which we also exercise on earth; indict a sacred, œcumenical, and general council in the city of Trent for the next ensuing most holy day of the Lord's resurrection; and we ordain and decree, that, all suspension soever removed, it be there celebrated. Wherefore, we do earnestly in the Lord exhort and admonish, and we do also by strictly charging, command, by virtue of holy obedience, and by the obligation of the oath which they have taken, and under the penalties which they know to be appointed by the sacred canons

[a] See Habak. iii. 2.

against those who neglect to assemble at general councils; our venerable brethren from all nations, patriarchs, archbishops, bishops, and our beloved sons the abbots, and others who, by common law, or by privilege, or by ancient custom, are permitted to sit, and give their opinion in a general council, that they meet, by the aforesaid day, there to celebrate a council; unless they happen to be hindered by a lawful impediment, which impediment nevertheless they shall be bound to prove to the synod by lawful proctors. We furthermore admonish all and each, whom it doth and may concern, that they fail not to be present at the council. And we exhort and entreat our most dearly beloved sons in Christ, the emperor elect of the Romans, and the other kings and princes, who it were earnestly to be wished could be present at the council, that, if they should not be able to be themselves present thereat, they would at least send prudent, grave, and pious men as their representatives,[t] to be present thereat in their name; and that they take diligent care, befitting their piety, that the prelates of their kingdoms and dominions perform, without refusal or delay, their duty to God and the Church at this so urgent a season: doubting not they will also take care that through their kingdoms and dominions a safe and free passage be kept for the prelates and their domestics, attendants, and all others who are proceeding to or returning from the council, and that they be received and treated in all places kindly and courteously; as we also, as far as we are concerned, will similarly provide, who have determined not to omit anything that can by us, who have been placed in this position, be done towards completing so pious and salutary a work; seeking, as God knows, nothing else, proposing nothing else, in celebrating this council, but the honour of God himself, the recovery and salvation of the scattered sheep, and the perpetual tranquillity and quiet of the Christian commonweal. But, to the end that these our letter, and the contents thereof, may come to the knowledge of all whom it behoveth, and that none may plead as an excuse that he knew not thereof, especially as there may not, perhaps, be safe access open to all who ought to be made ac-

[t] Oratores.

quainted with these our letters: We will and ordain that, in the Vatican Basilica of the prince of the apostles, and in the Lateran Church, at the time when the people is wont to be assembled there, in order to be present at the solemnities of the mass, they be read publicly in a clear voice by ushers[u] of our court, or by certain public notaries; and that they be, after being read, affixed to the doors of the said churches, also to the gates of the apostolic Chancery, and to the usual place in the Campo di Fiore, and that they shall there be left for some time to be read by and made known to all. But when they shall be moved thence, copies thereof shall remain affixed in those same places. For we will that, by such reading, publishing, and affixing after an interval of two months from the day of being published and affixed, all and each of those whom they include, even as if these letters had been communicated and read to them in person, shall be bound and obliged by them. And we ordain and decree, that, without any doubt, faith be given to copies thereof, which have been written or subscribed by the hand of a public notary, and guaranteed by the seal of some person constituted in ecclesiastical dignity. Wherefore, let no one of men infringe this our letter of indiction, statute, decree, precept, admonition, and exhortation, or with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of His blessed apostles Peter and Paul. Given at Rome, at Saint Peter's, in the year MDLX of the Lord's incarnation, on the third of the calends of December,[v] in the first year of our pontificate.

ANTONIUS FLORIBELLUS LAVELLINUS.

BARENGUS.

SESSION THE SEVENTEENTH

Of the Holy, Œcumenical, and General Council of Trent, being the first under the Sovereign Pontiff Pius IV., celebrated on the eighteenth day of January, 1562.

DECREE FOR CELEBRATING THE COUNCIL.

Doth it please you, unto the praise and glory of the Holy and undivided Trinity, Father, and Son, and Holy Ghost,

[u] Cursoribus. [v] November 29th.

unto the increase and exaltation of the faith, and of the Christian religion, that the sacred, œcumenical, and general Council of Trent, lawfully assembled in the Holy Ghost, be, all manner of suspension removed, celebrated from this day, which is the eighteenth of the month of January, in the year MDLXII from our Lord's nativity, consecrated to the chair of the blessed Peter, according to the form and tenor of the letter of our most holy lord, the Sovereign Pontiff Pius IV.; and that, due order being observed, those things be treated of therein, which, the legates and presidents proposing, shall appear to the said holy synod fitting and proper for alleviating the calamities of these times, appeasing controversies concerning religion, restraining deceitful tongues, correcting the abuses of depraved manners, and procuring for the Church a true and Christian peace?

They answered: It pleaseth.

INDICTION OF THE NEXT SESSION.

Doth it please you that the next ensuing session be held and celebrated on the Thursday after the second Sunday of Lent, which will be on the twenty-sixth day of the month of February?

They answered: It pleaseth.

SESSION THE EIGHTEENTH,

Being the second under the Sovereign Pontiff Pius IV., celebrated on the twenty-sixth day of February, 1562.

DECREE TOUCHING THE CHOICE OF BOOKS; AND FOR INVITING ALL MEN ON THE PUBLIC FAITH TO THE COUNCIL.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—not indeed confiding in human strength, but relying on the aid and assistance of our Lord Jesus Christ, who has promised that he would *give* to His Church *a mouth and wisdom*,[w] doth ponder especially how it may at length restore to its native purity and splendour, the doctrine of the Catholic faith, which

[w] Luke xxi. 15.

is in many places defiled and obscured by the opinions of many who differ one among another; to bring back, to a better system of life, manners, which have turned aside from ancient usage; and to *turn the heart of the fathers unto the children,*[x] and the heart of the children unto the fathers. Whereas, therefore, first of all, it hath perceived that the number of suspected and pernicious books, wherein an impure doctrine is contained, and is spread far and wide, has at this season increased to excess, which indeed has been the cause that many censures have been, out of a godly zeal, published in divers provinces, and especially in the mighty city of Rome, and yet that no salutary remedy has availed against this so great and pernicious a disorder; it hath [therefore] thought fit, that fathers specially chosen for this inquiry, should carefully consider what ought of necessity to be done in the matter of censures and of books, and also in due season make a report to this holy synod, to the end that it may itself more easily separate the various and strange doctrines, as *tares* from the *wheat*[y] of Christian truth, and may, in regard thereof, more conveniently deliberate and determine what shall seem best suited to remove scruples from the minds of very many, and to remove various causes of complaint. And [the synod] wishes all these matters to come to the cognizance of all persons soever, as by this present decree it doth make them cognizant; to the end that, if any person shall think it in any way concerneth himself, either in this matter of books and censures, or in the other matters which it has before declared are to be treated of in this general council, he may not doubt but that he will be kindly hearkened to by the holy synod.

And inasmuch as this said holy synod heartily desires, and earnestly beseeches God for *the things that are for the peace*[z] of the Church, that we all, acknowledging our common mother upon earth, *who cannot forget the sons of her womb,*[a] *with one mind, with one mouth, glorify God, and the Father of our Lord Jesus Christ;*[b] it invites and exhorts, by the bowels of the mercy of the same our God and Lord, all who hold not communion with us, unto concord and reconciliation, and that they come unto this holy synod, and

[x] Luke i. 17. [y] Matt. xiii. 30. [z] Ps. cxxi. 6 (cxxii. 6).
[a] Is. xlix. 15. [b] Rom. xv. 6.

embrace *charity, which is the bond of perfectness*, and to show forth *the peace of Christ rejoicing in their hearts, to the which they are called in one body*.[c] Wherefore, in *hearing this voice*, not of man, but of the Holy Ghost, let them not *harden their hearts*,[d] *but, walking not after their own sense*,[e] nor *pleasing themselves*,[f] let them be excited and turned unto this so charitable and salutary an admonition of their own mother. For, as the holy synod invites, so will it embrace them with all offices of love.

Yet further, this same holy synod has decreed, that the public faith may be granted in a general congregation, and that it shall have the same force, and shall be of the same strength and weight, as if it had been given and decreed in a public session.

INDICTION OF THE NEXT SESSION.

The same sacred and holy Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—ordains and decrees, that the next ensuing session be held and celebrated on the Thursday after the most sacred festival of the Ascension of our Lord, which will be on the fourteenth day of the month of May.

SAFE-CONDUCT GRANTED TO THE GERMAN NATION,

In a General Congregation, on the fourth day of March, 1562.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—pledges faith to all men, that, by the tenor of these presents, it grants and wholly concedes the public faith, and the fullest and most true security, which they call a safe-conduct, to all and each, the priests, electors, princes, dukes, marquises, counts, barons, nobles, soldiers, common people, and to all other men soever, of what state, condition, or quality soever they be, of the province and nation of Germany, and to the cities and other places thereof, and to all other ecclesiastical and secular persons, especially those of the Confession of Augsburg, who shall come, or shall be sent with them to this General

[c] Coloss. iii. 14, 15.
[d] Ps. xciv. 8 (xcv. 8).
[e] Ephes. iv. 17: "in the vanity of their own mind."
[f] Rom. xv. 3.

Council of Trent, and to those that shall set out, or have already come hither, by what name soever they are entitled, or may be designated, to come freely to this city of Trent, and there to remain, tarry, sojourn, propose, speak, treat of, examine, and discuss any matters whatsoever together with the said synod, and freely to present and set forth all things whatsoever may seem fit to them, and any articles whatever, either in writing or by word of mouth, and to explain, confirm, and prove them by the holy Scriptures, and by the words, opinions, and reasons of the blessed fathers, and, if it be needful, even to answer the objections of the general council; and to dispute, or to confer in charity, without any hindrance, with those who may have been chosen by the council, all opprobrium, railing, and contumely being utterly discarded; and, in particular, that the controverted matters shall be treated of in the aforesaid Council of Trent, according to sacred Scripture, and the traditions of the apostles, approved councils, and the consent of the Catholic Church, and the authorities of the holy fathers; this further being added, that they shall not be punished under pretence of religion, or of offences already committed, or that may be committed, in regard thereof; as also, that there shall be no interruption to the divine offices on account of their presence, either upon the journey, or in any place during their progress, stay, or return, or in the city of Trent itself; and that, these matters being concluded or not concluded, whensoever such is their pleasure, or the command and leave of their superiors, if they shall wish, or any of them shall wish, to return to their own homes, they shall forthwith be able, at their good pleasure, to return freely and securely, without any hindrance, obstacle, or delay, without injury done to their property, or to the honour also and persons of their attendants respectively; with the knowledge, however, of those who shall be deputed [hereunto] by the said synod; that so, without guile or fraud, proper care may be taken for their safety. The holy synod also wills, that all clauses soever, which may be necessary and convenient for a full, effectual, and sufficient security in coming, sojourning, and returning, be included and contained, and be accounted as contained, in this public faith and safe-conduct; it also expressly declaring, with a view to their greater security, and the blessing of peace and reconciliation,

that if, which far be it! any one, or certain of them, should, either on the journey when coming to Trent, or whilst sojourning at, or returning from that same place, perpetrate or commit any heinous deed, whereby the benefit of this public faith and assurance might be annulled and quashed, wills and grants, that the persons detected in such crime shall be forthwith punished by their own countrymen, and not by others, with a proportionate chastisement and a sufficient amends, which on the part of the synod may justly be approved and commended, the form, conditions, and terms of the safe-conduct remaining wholly uninfringed. It also reciprocally wills, that if, which far be it! any one, or certain of this synod, should, either on the journey, or whilst sojourning at, or returning therefrom, perpetrate or commit any heinous act, whereby the benefit of this public faith and assurance may be violated, or in any way set aside, the persons detected in such crime shall be forthwith punished by the synod itself only, and not by others, with a proportionate chastisement and a sufficient amends, to be justly approved and commended, on the part of the Germans of the Confession of Augsburg, who may be present here at the time, the present form, conditions, and terms of the safe-conduct remaining wholly uninfringed. The said synod also wills, that it be lawful for all and each of the ambassadors to go out of the city of Trent to take the air, as often as shall be convenient or necessary, and to return thither; as also freely to send or despatch their messenger or messengers to any places soever, according as the arrangement of their affairs may require, and to receive the said messengers or messenger, despatches or despatch, as often as shall seem fit to them; so as, however, one or more be associated therewith by those deputed by the council, in order to provide for their safety. And this safe-conduct and these securities shall stand good and endure, both from the time, and during the time that they shall happen to have been received under the care of the said synod, and the protection of its agents; and further, after they have had a sufficient audience, and twenty days having expired since they have themselves asked, or since the council, upon that audience had, shall have given them notice, to return, it will, all guile and fraud being entirely excluded, restore them, with God's favour, from

Trent to that place of safety which each may select for himself. All which things it promises, and in good faith pledges itself, shall be inviolably observed towards all and each of the faithful of Christ, towards all ecclesiastical and secular princes, and towards all other ecclesiastical and secular persons, of whatsoever state and condition they be, or by whatsoever name designated. Yet further, it promises in true and good faith, all guile and deceit being excluded, that the said synod will neither openly nor covertly seek for any opportunity, nor make use of, nor suffer any one to make use of, any authority, power, right, or statute, privilege of laws or canons, or of any councils soever, especially those of Constance and Sienna, under what form soever of words expressed; to the prejudice in any way of this public faith, and most full security, and of the public and free hearing, granted by this said synod to the above-named; as it derogates from the aforesaid in this instance and for this occasion. And if the holy synod, or any member thereof, or of their followers, of what condition, state, or pre-eminence soever, shall, which may the Almighty deign to avert, violate the form and terms of the security and safe-conduct as above set down, in any point or clause soever, and a sufficient amends shall not have forthwith followed, and one that may with reason be approved of and praised by the parties themselves; they may and shall hold the said synod to have incurred all those penalties, which, by law divine and human, or by custom, the violators of such safe-conducts can possibly incur; without any excuse or contradiction in this respect.

EXTENSION [OF THE SAFE-CONDUCT] TO OTHER NATIONS.

The same sacred and holy synod, lawfully assembled in the Holy Ghost,—the same legates *a latere* of the Apostolic See presiding therein,—grants the public faith, or a safe-conduct, under the same form, and in the same terms, wherein it is granted to the Germans, to all and each of those others, who hold not communion with us in the matters of faith, of whatsoever kingdoms, nations, provinces, cities, and places [they may be], wherein the contrary to that which the holy Roman Church doth entertain, is publicly and with impunity preached, taught, or believed.

SESSION THE NINETEENTH,

Being the third under the Sovereign Pontiff Pius IV., celebrated on the fourteenth day of May, 1562.

DECREE FOR THE PROROGATION OF THE SESSION.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—has, for certain just and fitting reasons, thought fit to prorogue, and doth [hereby] prorogue, until the Thursday after the approaching solemnity of Corpus Christi, which will be the day before the nones of June,[5] those decrees which were to have been this day ordained and sanctioned in the present session; and it indicts to all men, that, on the said day, a session will be held and celebrated. Meanwhile, God, the Father of our Lord Jesus Christ, the author of peace, is to be implored, that He would sanctify the hearts of all; that, by His help, the holy synod may be enabled, both now and ever, to meditate and perform those things which shall be unto His praise and glory.

SESSION THE TWENTIETH,

Being the fourth under the Sovereign Pontiff Pius IV., celebrated on the fourth day of June, 1562.

DECREE FOR THE PROROGATION OF THE SESSION.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—on account of various difficulties arising from divers causes, and also to the end that all things may proceed in a more befitting manner, and with greater deliberation; to wit, that dogmas may be treated of and sanctioned conjointly with the things relating to Reformation; has decreed that what matters soever it shall seem fit to ordain, as well touching Reformation, as touching dogmas, shall be defined in the next session, which it indicts to all men for the sixteenth day of the month of July next; adding, however, that the same holy

[5] June 4th.

synod freely may and can, at its will and pleasure, as it shall deem to be expedient for the business of the council, shorten or lengthen the said term, even in a general congregation.

SESSION THE TWENTY-FIRST,

Being the fifth under the Sovereign Pontiff Pius IV., celebrated on the sixteenth day of the month of July, 1562.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—whereas, touching the tremendous and most holy sacrament of the Eucharist, in divers places, by the artifices of the most wicked devil, certain monstrous errors are spread abroad, on account of which, in some provinces, many seem to have departed from the faith and obedience of the Catholic Church, it has thought fit, that those things which relate to communion under both species, and [the communion] of infants, be in this place set forth. Wherefore it forbids all the faithful of Christ henceforth to presume to believe, or teach, or preach otherwise on these matters, than is in these decrees explained and defined.

CHAPTER I.

That Laymen, and Clerks when not consecrating, are not bound, of Divine Right, unto Communion under both Species.

Wherefore, this holy synod, instructed by the Holy *Spirit*, who is *the spirit of wisdom and of understanding, the spirit of counsel and of godliness*,[h] and following the judgment and usage of the Church itself,[i] declares and teaches, that laymen, and clerks when not consecrating, are not obliged, by any divine precept, to receive the sacrament of the Eucharist under both species; and that neither can it by any means be doubted, without injury to faith, that communion under either species is sufficient for them unto salvation. For, although Christ the Lord, in the last supper, instituted and delivered to the apostles, this venerable sacrament in

[h] Is. xi. 2. [i] See Concil. Constantiens. sess. xiii.

the species of bread and wine; that institution and delivery do not therefore tend thereunto, that all the faithful of the Church be bound, by the institution of the Lord, to receive both species. But neither is it rightly inferred, from that discourse which is in the sixth of John,[j] however according to the various interpretations of holy fathers and doctors it be understood, that the communion of both species was enjoined by the Lord: for He who said, *Except ye shall eat the flesh of the Son of man and drink his blood, ye shall have no life in you,* also said, *He that eateth this bread shall live for ever;* and He who said, *He that eateth my flesh and drinketh my blood hath eternal life,* also said, *The bread that I will give is my flesh for the life of the world;* and, in fine, He who said, *He that eateth my flesh and drinketh my blood, abideth in me and I in him,* said, nevertheless, *He that eateth this bread shall live for ever.*

CHAPTER II.

The Power of the Church touching the Dispensation of the Sacrament of the Eucharist.

It furthermore declares, that this power has ever been in the Church, that, in the dispensation of the sacraments, their substance remaining untouched, it might ordain, or change, what things soever it might judge most expedient for the profit of those who receive, or for the veneration of the said sacraments, according to the variety of circumstances, times, and places. And this the apostle seems to have intimated not obscurely, when he says, *Let a man so account of us, as of the ministers of Christ, and stewards of the mysteries of God.*[k] And indeed it is sufficiently certain that he himself exercised this power, as in many other things, so also in regard of this very sacrament; when, after having ordained certain things touching the use thereof, he says, *The rest will I set in order when I come.*[l] Wherefore, Holy Mother Church, knowing this her authority in the administration of the sacraments, although the use of both species has, from the beginning of the Christian religion, not been unfrequent, yet, in progress of time, that custom having already been very widely changed, she, induced by

[j] John vi. 53, sqq. [k] 1 Cor. iv. 1. [l] 1 Cor. xi. 34.

weighty and just reasons, has approved of this custom of communicating under one species, and decreed that it was to be held as a law; which it is not lawful to reprobate, or to change at pleasure, without the authority of the Church itself.

CHAPTER III.

That Christ, whole and entire, and a true Sacrament, are received under either Species.

It furthermore declares, that although, as hath been before said, our Redeemer, in that last supper, instituted, and delivered to the apostles, this sacrament in two species, yet it is to be confessed, that Christ whole and entire, and a true sacrament, are received under either species alone; and that therefore, as appertaineth unto the fruit thereof, they, who receive one species alone, are not defrauded of any grace necessary to salvation.

CHAPTER IV.

That little Children are not bound unto Sacramental Communion.

Finally, this same holy synod teaches, that little children, who lack the use of reason, are not by any necessity obliged to the sacramental communion of the Eucharist: forasmuch as, having been regenerated by the laver of baptism, and being incorporated with Christ, they cannot, at that age, lose the grace already acquired, of [being] the sons of God. Not therefore, however, is antiquity to be condemned, if, in some places, it, at one time, observed that custom. For, as those most holy fathers had a probable cause for their conduct in respect of their times, so, assuredly, is it to be believed without controversy, that they did this without any necessity unto salvation.

ON COMMUNION UNDER BOTH SPECIES, AND ON THE COMMUNION OF INFANTS.

CANON I. If any one shall say, that, by the precept of God, or, by necessity of salvation, all and each of the faithful of Christ ought to receive both species of the most holy sacrament of the Eucharist; let him be anathema.

CANON II. If any one shall say, that the holy Catholic Church was not induced by just causes and reasons to com-

municate, under the species of bread only, laymen, and also clerks when not consecrating; let him be anathema.

CANON III. If any one shall deny, that Christ whole and entire, the fountain and author of all graces, is received under the one species of bread; because that, as some falsely assert, he is not received, according to the institution of Christ himself, under both species; let him be anathema.

CANON IV. If any one shall say, that the communion of the Eucharist is necessary for little children, before they have arrived at years of discretion; let him be anathema.

As regards, however, those two articles,[m] proposed elsewhere, but not as yet discussed; to wit, whether the reasons by which the holy Catholic Church was led to communicate, under the one species of bread only, laymen, and also priests when not celebrating, are in such wise to be adhered to, as that on no account is the use of the chalice to be allowed to any one soever; and whether, in case that, for reasons beseeming and consonant to Christian charity, it appears that the use of the chalice is to be granted to any nation or kingdom, it is to be conceded under certain conditions; and what are those [conditions]; this same holy synod reserves them to another time, for the earliest opportunity that shall present itself, to be examined and defined.

DECREE CONCERNING REFORMATION.

Preface.

The same sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—has thought fit that, unto the praise of Almighty God, and the adornment of holy Church, those things which follow be ordained at present, touching the business of Reformation.

CHAPTER I.

Bishops shall both confer orders and give Letters Dimissory and Testimonials gratuitously, for which their Servants shall receive nothing, but the Notaries that which is defined in this Decree.

Inasmuch as every suspicion of covetousness ought to be absent in the ecclesiastical order, neither bishops, nor others,

[m] See Sess. xiii. and xxii.

who confer orders, nor their ministers, shall, under any pretext, receive anything for the conferring of any manner of orders, not even for the clerical tonsure, nor for letters dimissory, or testimonials, nor for the seal, nor for any other cause soever, not even should it be voluntarily offered. And notaries, in those places only where the laudable custom of not receiving anything does not prevail, shall only be able to receive the tenth part of a golden crown[n] for each letter dimissory, or testimonial; provided that there be no salary assigned them for the discharge of this office. Nor shall any emolument out of the fees of the notary accrue, either directly or indirectly, to the bishop from the conferring of the said orders. For in this case the synod ordains that they are bound to give their labour altogether gratuitously; utterly quashing and prohibiting all taxes to the contrary, and all statutes, and customs, even though immemorial, of all places soever, which may rather be called abuses and corruptions tending to simoniacal pravity; and they who shall act otherwise shall, as well the givers as the receivers, incur, by the very fact, besides the divine vengeance, the penalties inflicted by law.

CHAPTER II.

Those who have not wherewith to live are excluded from Holy Orders.

Whereas it becometh not those who are enrolled in the divine ministry, to beg, or to exercise any sordid occupation, to the disgrace of their order; and whereas it is well known that very many, in very many places, are admitted to sacred orders almost without any discrimination of choice whatever; who, by various artifices and deceits, pretend to have an ecclesiastical benefice, or even means sufficient; the holy synod ordains, that henceforth no secular clerk, though he be otherwise fit in morals, knowledge, and age, shall be promoted to holy orders, unless it be first lawfully certain, that he is in the peaceful possession of an ecclesiastical benefice adequate to his honest livelihood. And he shall not be able to resign that benefice, without mentioning that he was promoted unto the title thereof; nor shall that resignation be admitted, unless it be certain that he can live conveniently

[n] Aureus.

from other sources; and any resignation made otherwise shall be null. But those who have a patrimony, or a pension, shall not hereafter be ordained, except such as the bishop shall judge fit to be received, in consideration of the necessity or the convenience of his churches; after having also first carefully looked to this, that they really possess that patrimony, or pension, and that they are such as to suffice them for sustenance. And they may not in any case be alienated, extinguished, or remitted, without the permission of the bishop, until they shall have obtained a sufficient ecclesiastical benefice, or they shall have from some other source whence they may live: renewing hereupon the penalties of the ancient canons.

CHAPTER III.

A Method of increasing the Daily Distributions is prescribed; the Persons to whom they shall be due: the Contumacy of those who do not serve is punished.

Whereas benefices were established in order to the performance of divine worship, and the offices of the Church; lest the divine worship may in any respect be diminished, and that due attention may be paid thereunto in all things; the holy synod ordains, that in churches, as well cathedral as collegiate, in which there are no daily distributions, or so slight, that they are probably disregarded, a third part of the fruits and of all proceeds soever, and comings in, as well of dignities, as of canonries, personates, portions, and offices, shall be set apart and converted to the purpose of daily distributions, in order to be divided amongst those who possess dignities and the others who are present at divine service, according to a proportionate division to be settled by the bishop, even as the delegate of the Apostolic See, at the time of the very first deduction made from the fruits; saving, however, the customs of those churches wherein those who do not reside, or who do not serve, receive nothing, or less than a third part: all exemptions, and any other customs, even though immemorial, and all appeals soever notwithstanding. And if the contumacy of those who do not serve increase, they may lawfully be proceeded against according to the provision of the law, and of the sacred canons.

CHAPTER IV.

In what Cases Coadjutors are to be employed for the cure of souls. The Method of erecting new Parishes is set forth.

Bishops, even as delegates of the Apostolic See, shall, in all parish churches, or those wherein baptism is administered, in which the people is so numerous, that one rector is not sufficient for the administration of the sacraments of the Church, and for the performance of divine worship, compel the rectors, or others to whom it may appertain, to associate with themselves unto this office, as many priests as shall suffice to administer the sacraments, and to celebrate the divine worship. But in respect to those [churches] to which, on account of the distance, or the difficulties of the localities, [the people] cannot, without great inconvenience, repair to receive the sacraments, and to hear the divine offices; they may, even against the will of the rectors, constitute new parishes, according to the form of constitution of Alexander III., which begins, *Ad audientiam*. And to those priests who shall have to be appointed anew over the churches newly erected, a competent portion, according to the bishop's judgment, shall be assigned out of the fruits in any wise belonging to the mother church: and if it be necessary, he may compel the people to contribute those things which may suffice for the sustaining the life of the said priests; every general or special reservation, or assignment, that may lie upon the said churches, notwithstanding. Neither shall such ordinances and erections be prevented or hindered by means of any provisions, or even by force of any resignation, or by any other derogations, or suspensions soever.

CHAPTER V.

Bishops are able to form Unions in perpetuity in Cases permitted by Law.

In order, also, that the state of those churches, wherein the sacred offices are administered unto God, may be maintained according to their dignity, the bishops, even as the delegates of the Apostolic See, may, according to form of law, make unions in perpetuity, without prejudice, however, to the incumbents of any parochial churches soever, and of those wherein baptism is administered, and of

other benefices with or without cure, with [other] cures, on account of the poverty of those [churches], and in the other cases permitted by law; even though the said churches, or benefices, be generally or specially reserved, or in what way soever applied. Which unions shall not be able to be revoked or infringed, by force of any provision soever, not even on account of any resignation, or derogation, or suspension.

CHAPTER VI.

To unskilful Rectors Vicars shall be deputed with a Portion of the Fruits; those persevering in the Scandal may be deprived of their Benefices.

Inasmuch as illiterate and unskilful rectors of parish churches are but little fit for the sacred offices; and others, by reason of the baseness of their lives, rather destroy than edify; the bishops, even as the delegates of the Apostolic See, may depute to the said illiterate and unskilful rectors, if they be otherwise of a beseeming life, coadjutors, or vicars for the time being, and assign to the same part of the fruits for their sufficient maintenance, or provide for them in some other manner, setting aside any appeal or exemption whatsoever. But those who live basely and scandalously, they shall, after they have first been admonished, restrain and punish; and if they shall still continue incorrigible in their wickedness, they shall have power to deprive them of their benefices, according to the constitutions of the sacred canons, setting aside every exemption or appeal soever.

CHAPTER VII.

Bishops shall transfer Benefices from Churches which cannot be restored; but they shall cause others to be repaired. What must be observed in this respect.

Whereas very great care ought also to be taken, lest those things which have been dedicated to sacred services, may, through the injury of time, grow obsolete, and pass from the memory of men; the bishops, even as the delegates of the Apostolic See, may transfer simple benefices, even those under a right of patronage, from churches, which by age, or otherwise, have fallen into ruin, and which cannot, on account of their poverty, be restored to the mother churches, or

others of the same or neighbouring places, according to their own judgment, having summoned those interested therein; and they shall raise in the same churches, altars or chapels, under the same invocations; or transfer them, with all their emoluments and with all the obligations that were imposed on the former churches, to altars or chapels already erected. But, as regards parish churches which have thus fallen into decay, they shall, even though they be under a right of patronage, take care that they be repaired and restored, out of any fruits and proceeds soever in any way appertaining to the said churches. And if [these resources] should be insufficient, they shall compel, by all suitable means, the patrons and others who receive any fruits resulting from those churches, or, in their default, the parishioners to [provide for] the aforesaid [repairs]; every appeal, exemption, or reservation soever being set aside. But if they should all labour under too great poverty, they shall be transferred to the mother churches, or to those in the neighbourhood, with power to convert both the said parish churches and others that are in ruins, to profane, though not to sordid uses; a cross, however, being erected there.

CHAPTER VIII.

Monasteries in commendam, *in which Regular Observance is not in vigour, and all Benefices soever, shall be annually visited by the Bishops.*

It is right that what things soever in a diocese regard the worship of God, be diligently cared for by the ordinary, and, where it behoveth, be by him provided. Wherefore, monasteries held *in commendam*, even abbeys, priories, and those called provostries, in which regular observance is not in vigour, as also benefices, with or without the cure of souls, as well regular as secular, in whatever manner held *in commendam*, even though exempt, shall every year be visited by the bishops, even as the delegates of the Apostolic See; and the said bishops shall take care, by suitable measures, even by the sequestration of the fruits, that what things require renewing or restoring, be repaired; and that the cure of souls, if it be charged upon those places, or those annexed to them, as also that other required duties be rightly exercised; any appeals soever, privileges, or customs,

even prescribed from time immemorial, letters conservatory, deputations of judges, and their inhibitions to the contrary, notwithstanding. And, if regular observance be therein in vigour, the bishops shall take care, by fatherly admonitions, that the superiors of the said regulars observe, and cause to be observed, the manner of life due according to the institutes of their order, and that they keep, and govern those subject to them, in their duty. And if, after having been admonished, they shall not, within six months, have visited or corrected them, then may the said bishops, even as delegates of the Apostolic See, visit and correct them in the same way as the superiors themselves might do, according to their institutes; all appeals, privileges, and exemptions soever being set aside, and notwithstanding.

CHAPTER IX.

The Name and Use of Questors of Alms is abolished. The Ordinaries shall publish Indulgences and Spiritual Graces. Two of the Chapter shall, gratuitously, receive the Alms.

Whereas many remedies, applied heretofore by divers councils, as well by that of Lateran,[o] and of Lyons, as by that of Vienne,[p] against the wicked abuses of questors of alms, have in later times become useless; yea, rather the depravity of such is, to the great scandal and complaint of all the faithful, found daily so much the more to increase, as that there seems no longer to be any hope left of their amendment; [the synod] ordains that, in all places where the Christian religion prevails, their name and use be henceforth utterly abolished; nor shall they in any wise be admitted to exercise any such office; any privileges granted to any churches, monasteries, hospitals, pious places, or to any persons of whatsoever degree, estate, and dignity, or any customs, even though immemorial, notwithstanding. But as regards the indulgences, or other spiritual graces, of which the faithful of Christ ought not on this account to be deprived, it decrees, that they are henceforth, at the due times, to be published to the people by the ordinaries of the places, aided by two members of the chapter. To whom

[o] See c. 62, x. de pœnit. v. 38. [p] Clem. 2, h. t., v. 9.

also power is given to gather faithfully the alms, and the succours of charity offered, without their receiving any remuneration soever; that so at length all men may truly understand, that these heavenly treasures of the Church are administered, not unto gain, but unto godliness.

INDICTION OF THE NEXT SESSION.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein, hath ordained and decreed, that the next ensuing session be held and celebrated on the Thursday after the octave of the feast of the Nativity of the blessed Virgin Mary, which will be on the seventeenth of the month of the next ensuing September; with the addition, however, that the said holy synod freely may and can, according to its will and pleasure, as it shall judge expedient for the affairs of the council, limit or extend, even in a general congregation, the said term, as also that which may hereafter be assigned for each session.

SESSION THE TWENTY-SECOND,

Being the sixth under the Sovereign Pontiff Pius IV., celebrated on the seventeenth day of September, 1562.

DOCTRINE TOUCHING THE SACRIFICE OF THE MASS.

The sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—to the end that the ancient, complete, and in every part perfect faith and doctrine touching the great mystery of the Eucharist may be retained in the holy Catholic Church; and may, all errors and heresies being repelled, be preserved in its own purity; [the synod], instructed by the illumination of the Holy Ghost, teaches, declares, and decrees what follows, to be preached to the faithful, touching the Eucharist, in as far as it is a true and singular sacrifice.

CHAPTER I.

On the Institution of the most holy Sacrifice of the Mass.

Inasmuch as, under the former Testament, according to the testimony of the apostle Paul, there was no *perfection, because of the weakness of the Levitical priesthood;*[q] it behoved God, the Father of mercies, so ordaining, that *another priest should rise, after the order of Melchisedech,*[r] our Lord Jesus Christ, who might perfect, and lead unto what is perfect, as many as were to be sanctified. He, therefore, our God and Lord, although He was about to offer Himself once on the altar of the cross unto God the Father, by means of His death, there to operate *an eternal redemption;*[s] nevertheless, because that His priesthood was not to be extinguished by His death, in the last supper, on the night in which He was betrayed, to the end that He might leave to His own beloved spouse the Church, a visible sacrifice, such as the nature of men requires, whereby that bloody [sacrifice], once to be accomplished on the cross, might be represented, and the memory thereof remain even unto the end of the world, and its salutary virtue be applied unto the remission of those sins which we daily commit, declaring Himself constituted *a priest for ever, after the order of Melchisedech,*[t] He offered up to God the Father His own body and blood under the species of bread and wine; and, under the symbols of those same things, He delivered [them] to be received by His apostles, whom He then constituted priests of the New Testament; and by those words, *This do in remembrance of me,*[u] He commanded both them and their successors in the priesthood, to offer [them], as the Catholic Church has always understood and taught. For, having celebrated the ancient passover, which the multitude of the children of Israel immolated in memory of their departure out of Egypt, He instituted the new passover, to wit, namely, that Himself should be immolated, under visible signs, by the Church through the priests, in memory of His own passage from this world unto the Father, when by the effusion of His own blood He redeemed

[q] Heb. vii. 11, 18. [r] Ibid. vs. 11. [s] Heb. ix. 12.
[t] Ps. cix. 4 (cx. 4). [u] Luke xxii. 19.

us, and *delivered us from the power of darkness, and translated us into his kingdom.*[v] And this indeed is that pure oblation, which cannot be defiled by any unworthiness, or malice of those that offer it; which the Lord foretold by Malachi was to be *offered in every place, pure unto his name, which was to be great amongst the Gentiles;*[w] and which the apostle Paul, writing to the Corinthians, has not obscurely intimated, when he says, that they who are defiled by *the participation of the table of devils, cannot be partakers of the table of the Lord;*[x] by *the table*, meaning in both places the altar. This, in fine, is that [oblation] which was prefigured by various types of sacrifices, during the period of nature, and of the law; inasmuch as it comprises all the good things signified by those [sacrifices], as being the consummation and perfection of them all.

CHAPTER II.

That the Sacrifice of the Mass is propitiatory as well for the Living as the Dead.

And inasmuch as, in this divine sacrifice which is performed in the mass, that same Christ is contained and immolated in a bloodless manner, who once offered Himself in a bloody manner on the altar of the cross; the holy synod teaches, that this sacrifice is truly propitiatory, and that by means thereof this is effected, that we obtain mercy, and find grace in convenient aid, if we draw nigh unto God, contrite and penitent, with a true heart and upright faith, with fear and reverence. For the Lord, appeased by the oblation thereof, and granting the grace and gift of penitence, forgives even heinous crimes and sins. For the victim is one and the same, the same now offering by the ministry of priests, who then offered Himself on the cross, the manner alone of offering being different. The fruits indeed of which oblation, of that bloody one, to wit, are most plentifully received through this bloodless one; so far is this latter from derogating in any way from that former [oblation]. Wherefore, not only for the sins, punishments, satisfactions, and other necessities of the faithful who are alive, but also for those who are departed in Christ, and who are not as yet

[v] Coloss. i. 13. [w] Malach. i. 11. [x] 1 Cor. x. 21.

fully purified,[y] is it rightly offered, agreeably to a tradition of the apostles.

CHAPTER III.

On the Mass in Honour of the Saints.

And although the Church hath been accustomed at times to celebrate certain masses in honour and memory of the saints; she does not, therefore, however, teach that sacrifice is offered unto them, but unto God alone, who hath crowned them; whence neither is the priest wont to say, "I offer sacrifice unto thee, Peter, or Paul;" but, returning thanks to God for their victories, he implores their patronage, that they may vouchsafe to intercede for us in heaven, whose memory we celebrate upon earth.

CHAPTER IV.

On the Canon of the Mass.

And whereas it is beseeming that holy things be administered in a holy manner, and whereas this sacrifice is the most holy of all holy things; to the end that it might be worthily and reverently offered and received, the Catholic Church instituted, many ages since, the sacred canon, so pure from every error, that nothing is therein contained which does not in the highest degree savour of a certain holiness and piety, and raise up the minds of those that offer unto God. For it is composed both out of the very words of the Lord, and the traditions of the apostles, and the pious institutions also of holy pontiffs.

CHAPTER V.

On the Ceremonies and Rites of the Mass.

And whereas such is the nature of man, that, without external helps, he cannot be easily upraised to the meditation of divine things; on this account has holy Mother Church instituted certain rites, to wit that certain things be pronounced in the mass in a softened, and others in a raised tone. She has likewise made use of ceremonies, such

[y] Literally, "purged."

as mystic benedictions, lights, fumigations of incense,[z] vestments, and many other things of this kind, derived from an apostolical discipline and tradition, whereby both the majesty of so great a sacrifice might be recommended, and the minds of the faithful be excited, by these visible signs of religion and piety, to the contemplation of those most sublime things which lie hidden in this sacrifice.

CHAPTER VI.

On the Mass wherein the Priest alone communicates.

The sacred and holy synod would wish indeed that, at each mass, the faithful who are present should communicate, not only in spiritual desire, but also by the sacramental participation of the Eucharist, that thereby a more abundant fruit of this most holy sacrifice might be derived unto them: but nevertheless, if this be not always done, it doth not therefore condemn, as private and unlawful, but approves of, and therefore commends, those masses in which the priest alone communicates sacramentally; since those masses ought also to be considered as truly common; partly because in them the people communicate spiritually; partly also because they are celebrated by a public minister of the Church, not for himself only, but for all the faithful, who appertain to the body of Christ.

CHAPTER VII.

On the Water to be mixed with the Wine to be offered in the Chalice.

The holy synod in the next place observes, that it hath been enjoined by the Church on priests, to mix water with the wine that is to be offered in the chalice; as well because it is believed that Christ our Lord did so, as also because from *His side there came out blood and water;*[a] which sacramental mystery[b] is renewed by this mixture; and, whereas in the Revelation of the blessed John, *the peoples* are called *waters,*[c] the union of that faithful people with Christ their head is hereby represented.

[z] Thymiamata.
[b] Sacramentum.
[a] John xix. 34.
[c] Rev. xvii. 15.

CHAPTER VIII.

The Mass shall not be celebrated everywhere in the Vulgar Tongue. Its Mysteries shall be explained to the People.

Although the mass contains great instruction for the faithful people, nevertheless, it has not seemed expedient to the fathers, that it should be celebrated everywhere in the vulgar tongue. Wherefore, the ancient rite of each church, and [the rite] approved by the holy Roman Church, the mother and mistress of all churches, being in every place retained; and, that the sheep of Christ may not suffer hunger, *nor the young children ask bread, and there be none who shall break it unto them*,[d] the holy synod charges pastors, and all those who have the cure of souls, that they frequently, during the celebration of mass, expound, either by themselves or others, some portion of those things which are read at the mass, and that, amongst the rest, they explain some mystery of this most holy sacrifice, especially on the Lord's days and festivals.

CHAPTER IX.

Preliminary Remark on the following Canons.

But because that many errors are at this time spread abroad, and many things taught and maintained by many persons, in contradiction to this ancient faith, based upon the sacred Gospel, the traditions of the apostles, and the doctrine of the holy fathers; the holy synod, after many and grave deliberations maturely held touching these matters, has resolved, with the unanimous consent of all, to condemn, and to eliminate from the Holy Church, whatsoever is opposed to this most pure faith and sacred doctrine, by means of the canons subjoined.

TOUCHING THE SACRIFICE OF THE MASS.

CANON I. If any one shall say, that in the mass a true and proper sacrifice is not offered to God; or, that to be offered is nothing else but that Christ is given unto us to eat; let him be anathema.

[d] Lam. iv. 4.

CANON II. If any one shall say, that by those words, *Do this in remembrance of me*,[e] Christ did not institute the apostles priests; or, did not ordain that they, and other priests, should offer His own body and blood; let him be anathema.

CANON III. If any one shall say, that the sacrifice of the mass is only a sacrifice of praise and of thanksgiving; or, that it is a bare commemoration of the sacrifice offered on the cross, but not a propitiatory sacrifice;[f] or, that it avails him only who receiveth; and that it ought not to be offered for the living and the dead for sins, punishments, satisfactions, and other necessities; let him be anathema.

CANON IV. If any one shall say, that, by the sacrifice of the mass, a blasphemy is thrown upon the most holy sacrifice of Christ offered on the cross; or, that it is thereby derogated from; let him be anathema.

CANON V. If any one shall say, that it is an imposture to celebrate masses in honour of the saints, and for obtaining their intercession with God, as the Church intends; let him be anathema.

CANON VI. If any one shall say, that the canon of the mass contains errors, and is therefore to be abrogated; let him be anathema.

CANON VII. If any one shall say, that the ceremonies, vestments, and outward signs, of which the Catholic Church makes use in the celebration of masses, are incentives to impiety, rather than offices of piety; let him be anathema.

CANON VIII. If any one shall say, that masses, in which the priest alone communicates sacramentally, are unlawful, and therefore to be abrogated; let him be anathema.

CANON IX. If any one shall say, that the rite of the Roman Church, whereby a part of the canon and the words of consecration are pronounced in a softened tone, is to be condemned; or, that the mass ought only to be celebrated in the vulgar tongue; or, that water is not to be mixed with the wine to be offered in the chalice, in that it is contrary to the institution of Christ; let him be anathema.

[e] 1 Cor. xi. 25.

[f] Propitiatorium.

DECREE TOUCHING THE THINGS TO BE OBSERVED AND TO BE AVOIDED IN THE CELEBRATION OF THE MASS.

How great care is to be taken, that the sacred and holy sacrifice of the mass be celebrated with all religious service and veneration, each one may easily make an estimate, who considers, that, in holy writ, he is called *accursed, who doth the work of God negligently.*[g] And if we must needs confess, that no other work can be performed by the faithful so holy and divine as this tremendous mystery itself, wherein that life-giving victim, by which we were reconciled unto God the Father, is daily immolated on the altar by the priests; it is also sufficiently clear, that all industry and diligence is to be applied to this end, that it be performed with the greatest possible inward cleanness and purity of heart, and outward show of devotion and piety. Whereas, therefore, either through the wickedness of the times, or through the carelessness and unworthiness of men, many things already seem to have crept in, which are alien from the dignity of so great a sacrifice; to the end that the honour and worship due thereunto may be restored, unto the glory of God and the edification of the faithful people; the holy synod decrees, that the ordinary bishops of places shall diligently take care, and be bound to prohibit and abolish all those things which either *covetousness, which is a serving of idols,*[h] or irreverence, which can scarcely be separated from impiety; or superstition, the false imitatress of true piety, have introduced.

And that many things may be comprised in few words: first, as relates to covetousness, they shall utterly prohibit all manner of conditions and bargains for recompenses, and whatsoever is given for the celebration of new masses; also the importunate and illiberal exactions, rather than requests, for alms, and other things of the like sort, which are but little removed from simoniacal taint, or at all events, from *filthy lucre.*[i]

Furthermore, that irreverence may be avoided, let each, in his own diocese, forbid that any wandering or unknown priest be permitted to celebrate mass. And, moreover,

[g] Jer. xlviii. 10, marginal reading.
[h] Ephes. v. 5.
[i] 1 Tim. iii. 3.

they shall not allow any one who is publicly and notoriously a criminal, either to minister at the holy altar, or to assist at the sacred services; nor shall they suffer this holy sacrifice to be celebrated, either by any seculars or regulars whatsoever, in private houses, or anywhere, out of the church, and those oratories dedicated solely unto divine worship, and which are to be designated and visited by the said ordinaries; and not then, unless those who are present shall have first declared, by their decently composed external appearance, that they are not present there in body only, but also in mind and devout affection of heart. They shall also keep from the churches all those kinds of music, in which, whether by the organ, or in the singing, there is mixed up anything lascivious or impure; as also all secular actions; vain and therefore profane conversations, all walking about, noise, and clamour; that so the house of God may truly seem to be, and may be called, *a house of prayer*.[j]

Lastly, that no place may be given to superstition; they shall by edict, and under penalties laid down, that priests take care not to celebrate at other than due hours, nor make use of other rites, or other ceremonies and prayers, in the celebration of masses, besides those which have been approved by the Church, and have been received by a frequent and laudable usage. They shall wholly remove from the Church the observance of a fixed number of certain masses, and of candles, as being invented rather by superstitious worship, than by true religion; and they shall instruct the people, what is, and from whom especially is derived, the fruit so precious and heavenly of this most holy sacrifice. They shall also admonish the same people, to repair frequently to their own parish churches, at least on the Lord's days and the greater festivals. All these things, therefore, that have been summarily enumerated, are in such wise propounded unto all ordinaries of places, as that according to the power given them by this sacred and holy synod, and even delegates of the Apostolic See, they may prohibit, command, reform, and ordain, not only those very things aforesaid, but also whatsoever else shall seem to them to appertain hereunto; and may compel the faithful people in-

[j] Matt. xxi. 13.

violably to observe them, by ecclesiastical censures and other penalties, which may be appointed at their pleasure; any privileges, exemptions, appeals, and customs whatsoever, to the contrary notwithstanding.

DECREE CONCERNING REFORMATION.

The same sacred and holy, œcumenical and general Synod of Trent, lawfully assembled in the Holy Ghost,—the same legates of the Apostolic See presiding therein,—to the end that the business of Reformation may be pursued, has thought fit that the following things be ordained in the present session.

CHAPTER I.

The Decrees touching the Life and Propriety of Conduct of Clerks are renewed.

There is nothing that continually instructs others unto piety, and the worship of God, more than the life and example of those who have dedicated themselves to the divine ministry. For whereas they are seen to be raised from above the things of this world to a higher position, others cast their eyes upon them as upon a mirror, and derive from them what they should imitate. Wherefore it by all means becometh clerks called to have the Lord for their portion, so to regulate their life and manners, as that in their dress, gesture, gait, discourse, and all things else, they bear nothing about them but what is grave, moderate, and replete with religiousness; that they avoid even slight faults, which in them would be most grievous; that so their actions may impress all with veneration. Whereas, therefore, the more useful and decorous these things are in the Church of God, so much the more carefully also are they to be observed; the holy synod ordains, that those things which have been elsewhere copiously and wholesomely enacted by the sovereign pontiffs and sacred councils, touching the life, propriety, dress, and learning of clerks, and also touching luxury, feastings, dances, gambling, sports, and all sorts of crimes whatever, as also the secular employments to be [by them] avoided, the same shall hereafter be observed, under the same penalties, or greater, to be imposed at the discretion of the ordinary; nor shall any appeal suspend the

execution hereof, as pertains to the correction of manners. But if they shall find anything of the above fallen into desuetude, they shall take care that it be again brought into use as soon as possible, and be accurately observed by all; any customs soever notwithstanding; lest they themselves, God being the avenger, may pay the penalty deserved by their neglect of the correction of those subject [to them].

CHAPTER II.

Who are to be promoted to Cathedral Churches.

Whosoever is, hereafter, to be promoted to cathedral churches, shall not only be fully qualified by birth, age, morals, and life, and, in other matters which are required by the sacred canons, but shall also have been previously constituted in holy orders, for the space of at least six months. And information on these points, if there be only recent knowledge, or none at all of the party at the court [of Rome], shall be derived from the legates of the Apostolic See, or from the nuncios of the provinces, or from his ordinary, and in his default, from the nearest ordinaries. And besides these things, he shall abound in such learning as to be able to satisfy the obligations of the office about to be conferred upon him. And for this reason, he shall have been previously promoted by merit, in some university for studies, to be a master, or doctor, or licentiate, in sacred theology, or in canon law; or shall be declared, by the public testimony of some academy, competent to teach others. And, if he be a regular, he shall have a similar testimonial[k] from the superiors of his own religion. And all the above-named persons, from whom the information, or testimony, is to be derived, shall be bound to report on these matters faithfully and gratuitously; otherwise let them know, that their consciences will be grievously burthened, and that they will have God, and their own superiors, as avengers [upon them].

[k] Fidem.

CHAPTER III.

Daily Distributions, out of the Third Part of all Fruits soever, are to be ordained: on whom the Portion of Absentees shall devolve; certain Cases excepted.

Bishops, even as the delegates of the Apostolic See, shall be able to divide the third part of any manner of fruits and revenues of all dignities, personates, and offices existing in cathedral or collegiate churches, into distributions, to be assigned according to their discretion; in such wise, to wit, that, if those who have the right to receive them[1] should fail, on any appointed day, personally to discharge the duty devolving upon them, according to the form to be prescribed by the said bishops, they shall forfeit that day's distribution, and shall acquire no manner of property therein, but it shall be applied to the fabric of the church, in as far as it may need, or to some other pious place, at the discretion of the ordinary. But if their contumacy increase, they shall proceed against them according to the constitutions of the sacred canons. But if upon any of the aforesaid dignitaries any jurisdiction, administration, or office in the cathedral or collegiate churches, devolves neither by right nor custom; but, out of the city, in the [same] diocese, there is a cure of souls to be attended to [by him], which he, who holds that dignity, is willing to take upon himself; in this case, during the time that he shall reside and minister in the church with that cure, he shall be considered as though he were present and assisted at the divine offices in those cathedral or collegiate churches. These things are to be understood as appointed for those churches only, in which there is no custom, or statute, whereby the said dignitaries, who do not serve, lose something, which amounts to the third part of the said fruits and proceeds: any customs, even though immemorial, exemptions, and constitutions, even though confirmed by oath or by any authority soever, to the contrary notwithstanding.

Qui eas obtinent.

CHAPTER IV.

Those not initiated into Holy Orders shall not have a voice in the Chapter of any Cathedral or Collegiate Church. The Qualifications and Duties of those who hold Benefices therein.

Whosoever being employed in divine offices in a cathedral, or collegiate, secular or regular church, is not constituted in the order of subdeaconship at least, shall not have a voice in the chapter of such churches, even though this may have been freely conceded to him by the others. But those who possess, or shall hereafter possess, in the said churches, any dignities, personates, offices, prebends, portions, and any other manner of benefices whatever, to which various obligations are annexed; such as, that some shall say, or sing, mass, others the Gospel, others the Epistle, they shall be bound, just impediment being wanting, to receive the requisite orders within a year, whatsoever may be their privilege, exemption, prerogative, or nobility of birth; otherwise they shall incur the penalties according to the constitution of the Council of Vienne, which begins, *Ut ii qui*, which [the synod] by this present decree renews. And the bishops shall compel them to exercise the aforesaid orders in person on the appointed days, and to discharge all the other duties which belong to them in the divine service, under the same penalties, and others even more grievous, to be imposed at their discretion. Nor, for the future, shall any such office be assigned to any others but those who shall be well known fully to have already the age and the other qualifications; otherwise such provision shall be void.

CHAPTER V.

Dispensations out of the Court shall be committed to the Bishop, and be examined by him.

Dispensations, by what authority soever they are to be granted, if they are to be consigned out of the Roman court, shall be consigned to the ordinaries of those who shall have obtained them. And those dispensations which shall be granted as graces, shall not possess their effect, until the said ordinaries, as apostolic delegates, shall have first ascertained summarily only, and extra-judicially, that the terms of the petition do not labour under the vice of surreption or obreption.

CHAPTER VI.

Last Intentions to be altered with caution.

In alterations of last wills, which [alterations] ought not to be made except for a just and necessary cause, the bishops, as delegates of the Apostolic See, shall, before the aforesaid alterations are carried into execution, summarily and extra-judicially ascertain, that nothing has been stated in the petition, which suppresses what is true, or suggests what is false.

CHAPTER VII.

The Chapter "Romana," in the sixth [of the Decretals], is renewed.

Apostolic legates and nuncios, patriarchs, and primates and metropolitans, in appeals interposed before them, shall, in all causes soever, as well in admitting appeals, as in granting inhibitions after an appeal, be bound to observe the form and tenor of the sacred constitutions, and especially of [the constitution of] Innocent IV., beginning *Romana;* any custom, even though immemorial, or manner, or privilege to the contrary, notwithstanding. Otherwise the inhibitions and proceedings, and all the consequences thereof, shall by the very fact be null.

CHAPTER VIII.

Bishops shall execute the pious Dispositions of all Persons; shall visit all manner of pious Places, provided they be not under the immediate protection of Kings.

The bishops, even as the delegates of the Apostolic See, shall, in the cases allowed by law, be the executors of all pious dispositions, whether made by last will, or among the living: they shall have the right of visiting all manner of hospitals, colleges, and confraternities of laymen, even those which they call schools, or by any other name (not, however, those places which are under the immediate protection of kings, except with their permission); also the eleemosynary institutions, called *monts-de-piété*, or of charity, and all pious places by what name soever designated, even though the care of the aforesaid institutions appertain to laymen, and though the same pious places be protected by a privilege of exemption; and, by virtue of their office, they shall take

as mystic benedictions, lights, fumigations of incense,[z] vestments, and many other things of this kind, derived from an apostolical discipline and tradition, whereby both the majesty of so great a sacrifice might be recommended, and the minds of the faithful be excited, by these visible signs of religion and piety, to the contemplation of those most sublime things which lie hidden in this sacrifice.

CHAPTER VI.

On the Mass wherein the Priest alone communicates.

The sacred and holy synod would wish indeed that, at each mass, the faithful who are present should communicate, not only in spiritual desire, but also by the sacramental participation of the Eucharist, that thereby a more abundant fruit of this most holy sacrifice might be derived unto them: but nevertheless, if this be not always done, it doth not therefore condemn, as private and unlawful, but approves of, and therefore commends, those masses in which the priest alone communicates sacramentally; since those masses ought also to be considered as truly common; partly because in them the people communicate spiritually; partly also because they are celebrated by a public minister of the Church, not for himself only, but for all the faithful, who appertain to the body of Christ.

CHAPTER VII.

On the Water to be mixed with the Wine to be offered in the Chalice.

The holy synod in the next place observes, that it hath been enjoined by the Church on priests, to mix water with the wine that is to be offered in the chalice; as well because it is believed that Christ our Lord did so, as also because from *His side there came out blood and water;*[a] which sacramental mystery[b] is renewed by this mixture; and, whereas in the Revelation of the blessed John, *the peoples* are called *waters,*[c] the union of that faithful people with Christ their head is hereby represented.

[z] Thymiamata.
[b] Sacramentum.
[a] John xix. 34.
[c] Rev. xvii. 15.

CHAPTER XI.

Usurpers of the Property of any Church or pious Place soever are punished.

If any clerk, or layman, by what dignity soever, even that of emperor or king, pre-eminent, should be so greatly possessed by covetousness, the root of all evils, as to presume to convert unto his own use, and to usurp, by himself or by others, by force, or fear excited, or even by means of any supposititious persons, whether lay or clerical, or by any artifice, or under any sought-for colourable pretext soever, the jurisdictions, goods, incomes, and rights, even those held in fee or under lease, the fruits, emoluments, or any revenues soever, belonging to any church, or to any benefice, whether secular or regular, *monts-de-piété*, or to any other pious places, which ought to be employed for the necessities of the ministers and the poor; or [shall presume] to hinder them from being received by those unto whom they by right belong; he shall so long lie under an anathema, until he shall have entirely restored to the Church, and to the administrator or beneficiary thereof, the jurisdictions, goods, effects, rights, fruits, and revenues which he has seized upon, or in what manner soever they have come to him, even by way of gift from a supposititious person; and, until he shall, furthermore, have obtained absolution from the Roman Pontiff. But if he be the patron of the said church, he shall, besides the aforesaid penalties, be by the very act deprived of the right of patronage. And the clerk, who shall be the author of, or shall consent to, any wicked fraud and usurpation of this kind, shall be subjected to the same penalties; as also he shall be deprived of all benefices soever, and be rendered incapable of any others soever; and even after entire satisfaction and absolution, he shall be suspended from the exercise of his orders, at the discretion of his ordinary.

DECREE TOUCHING THE PETITION FOR THE CONCESSION OF THE CHALICE.

Yet, further, whereas the same sacred and holy synod, in the preceding session, reserved until another time, for an opportunity that might occur, two articles to be examined and defined, which had been proposed on another occasion, but had not then as yet been discussed, to wit, whether the

CANON II. If any one shall say, that by those words, *Do this in remembrance of me*,[e] Christ did not institute the apostles priests; or, did not ordain that they, and other priests, should offer His own body and blood; let him be anathema.

CANON III. If any one shall say, that the sacrifice of the mass is only a sacrifice of praise and of thanksgiving; or, that it is a bare commemoration of the sacrifice offered on the cross, but not a propitiatory sacrifice;[f] or, that it avails him only who receiveth; and that it ought not to be offered for the living and the dead for sins, punishments, satisfactions, and other necessities; let him be anathema.

CANON IV. If any one shall say, that, by the sacrifice of the mass, a blasphemy is thrown upon the most holy sacrifice of Christ offered on the cross; or, that it is thereby derogated from; let him be anathema.

CANON V. If any one shall say, that it is an imposture to celebrate masses in honour of the saints, and for obtaining their intercession with God, as the Church intends; let him be anathema.

CANON VI. If any one shall say, that the canon of the mass contains errors, and is therefore to be abrogated; let him be anathema.

CANON VII. If any one shall say, that the ceremonies, vestments, and outward signs, of which the Catholic Church makes use in the celebration of masses, are incentives to impiety, rather than offices of piety; let him be anathema.

CANON VIII. If any one shall say, that masses, in which the priest alone communicates sacramentally, are unlawful, and therefore to be abrogated; let him be anathema.

CANON IX. If any one shall say, that the rite of the Roman Church, whereby a part of the canon and the words of consecration are pronounced in a softened tone, is to be condemned; or, that the mass ought only to be celebrated in the vulgar tongue; or, that water is not to be mixed with the wine to be offered in the chalice, in that it is contrary to the institution of Christ; let him be anathema.

[e] 1 Cor. xi. 25. [f] Propitiatorium.

Whereas, therefore, in the New Testament, the Catholic Church has received, from the institution of our Lord, the holy visible sacrifice of the Eucharist; it must of necessity also be confessed, that there is, in that [Church], a new, visible, and external priesthood, into which the old has been translated.[m] And the sacred Scriptures show, and the tradition of the Catholic Church has always taught, that this was instituted by the same Lord our Saviour, and that to the apostles, and to their successors in the priesthood, the power was delivered of consecrating, offering, and administering His Body and Blood, as also of remitting and of retaining sins.

CHAPTER II.

Touching the Seven Orders.

But whereas the ministry of so holy a priesthood is a divine thing; to the end that it might be exercised more worthily, and with greater veneration, it was meet that, in the most well-ordered arrangement of the church, there should be several and diverse orders of ministers,[n] to minister unto the priesthood, by virtue of their office, [orders] so distributed as that those who were already marked with the clerical tonsure should ascend through the lesser to the greater orders. For the sacred Scriptures make open mention not only of priests, but also of deacons;[o] and teach, in the most weighty terms, what things are especially to be attended to in the ordination thereof; and, from the very beginning of the Church, the names of the following orders, and the proper ministrations of each one of them, to wit, those of subdeacon, acolyth, exorcist, reader, and door-keeper, are known to have been in use; though not of equal rank: for the subdeaconship is classed amongst the greater orders by the fathers and sacred councils, wherein also we very often read of the other inferior orders.

[m] Heb. vii. 12, sqq.

[n] See Matt. xvi. 19; Mark xiv. 22-24; Luke xxii. 19; John xx. 22, with Hooker, E. P. v. 78.

[o] See Acts vi. 5, xxi. 8; 1 Tim. iii. 8, sqq.

CHAPTER III.

That Orders is truly and properly a Sacrament.

Whereas, by the testimony of Scripture, by apostolic tradition, and the unanimous consent of the fathers, it is clear that grace is conferred by sacred ordination, which is performed by words and outward signs, no one ought to doubt that Orders is truly and properly one of the seven sacraments of the holy Church. For the apostle says, *I put thee in remembrance that thou stir up the grace of God, which is in thee by the putting on of my hands. For God hath not given us the spirit of fear; but of power, and of love, and of sobriety.*[p]

CHAPTER IV.

Touching Ecclesiastical Hierarchy and Ordination.

But, inasmuch as in the sacrament of Orders, as also in Baptism and Confirmation, a character is imprinted, which can neither be effaced nor taken away; the holy synod with reason condemns the opinion of those, who assert that the priests of the New Testament have only a temporary power; and that those who have once been rightly ordained, can again become laymen, if they do not exercise the ministry of the word of God. But if any one affirm that all Christians indiscriminately are priests of the New Testament, or that they are all mutually endowed with an equal spiritual power, he seems to do nothing but confound the ecclesiastical hierarchy, which is *as an army set in array;*[q] as if, contrary to the doctrine of the blessed Paul, *all* were *apostles, all prophets, all evangelists, all pastors, all doctors.*[r] Wherefore, the sacred and holy synod declares that, besides the other ecclesiastical degrees, bishops, who have succeeded unto the place of the apostles, principally belong to this hierarchical order; that they are *placed*, as the same apostle says, *by the Holy Ghost, to rule the Church of God;*[s] that they are superior to priests; confer the sacrament of Con-

[p] 2 Tim. i. 6, 7.
[q] Cant. vi. 3 (4: "terrible as an army with banners").
[r] Ephes. iv. 11.
[s] Acts xx. 28: "to feed the church of God."

firmation; ordain the ministers of the Church; and that they are able themselves to perform very many other things; over which functions the rest of an inferior order have no power. The sacred and holy synod further teaches, that, in the ordination of bishops, priests, and of the other orders, neither the consent, nor vocation, nor authority, whether of the people, or of any secular power or magistrate soever, is required in such wise as that, without this, the ordination is invalid: yea rather it doth decree, that all those who, being only called and instituted by the people, or by the secular power and magistrate, ascend to the exercise of these ministrations, and those who of their own rashness assume them to themselves, are not ministers of the Church, but are to be accounted as *thieves and robbers, who have not entered by the door*.[t] These are the things which it hath seemed good to the sacred synod to teach the faithful of Christ, in general terms, touching the sacrament of Orders. But it hath resolved to condemn things contrary thereunto, in express and specific canons, in the manner which follows; to the end that all men, with the assistance of Christ, using the rule of faith, may, amidst the darkness of so many errors, more easily be able to recognize and to hold Catholic truth.

ON THE SACRAMENT OF ORDERS.

CANON I. If any one shall say, that there is not in the New Testament a visible and external priesthood: or that there is not any power of consecrating and offering the true body and blood of the Lord, and of remitting and retaining sins; but only an office and bare ministry of preaching the Gospel; or that those who do not preach are not priests at all; let him be anathema.

CANON II. If any one shall say, that, besides the priesthood, there are not in the Catholic Church other orders, both greater and lesser, by which, as by certain steps, advance is made unto the priesthood; let him be anathema.

CANON III. If any one shall say, that orders, or sacred ordination, is not truly and properly a sacrament instituted by Christ the Lord; or, that it is a certain human figment devised by men unskilled in ecclesiastical matters; or, that

[t] John x. 1.

it is only a certain kind for choosing ministers of the word of God and of the sacraments; let him be anathema.

CANON IV. If any one shall say, that, by sacred ordination the Holy Ghost is not given; and that the bishops do therefore vainly say, *Receive ye the Holy Ghost;* or, that a character is not thereby imprinted; or, that he who has once been a priest, can again become a layman; let him be anathema.

CANON V. If any one shall say, that the sacred unction which the Church makes use of in holy ordination, is not only not required, but is to be despised and is pernicious, as likewise the other ceremonies of Order; let him be anathema.

CANON VI. If any one shall say, that, in the Catholic Church there is not a hierarchy instituted by divine ordination, consisting of bishops, priests, and ministers; let him be anathema.

CANON VII. If any one shall say, that bishops are not superior to priests; or, that they have not the power of confirming and ordaining; or, that that power which they possess is common to them with the priests; or, that orders, conferred by them, without the consent or vocation of the people, or of the secular power, are invalid; or, that those who have neither been rightly ordained, nor sent, by ecclesiastical and canonical power, but come from elsewhere, are lawful ministers of the word and of the sacraments; let him be anathema.

CANON VIII. If any one shall say, that the bishops, who are assumed by authority of the Roman Pontiff, are not legitimate and true bishops, but a human figment; let him be anathema.

DECREE CONCERNING REFORMATION.

The same sacred and holy Synod of Trent, pursuing the matter of Reformation, ordains and decrees that the things following be at present decreed.

CHAPTER I.

The Negligence of Pastors of Churches in residing is variously punished: Provision is made for the cure of souls.

Whereas it is by divine precept enjoined on all, to whom the cure of souls is committed, to know their own

sheep;[u] to offer sacrifice for them; and, by the preaching of the divine word, by the administration of the sacraments, and by the example of all good works, to feed them; to have a fatherly care for the poor and for other distressed persons, and to apply themselves to all other pastoral duties; all which [offices] cannot be rendered and fulfilled by those who neither watch over nor stand by their own flock, but, after the manner of hirelings, abandon it; the sacred and holy synod admonishes and exhorts, that, mindful of the divine precepts, and *made ensamples to the flock*,[v] they feed and rule in judgment and in truth. And lest those things which have been already elsewhere holily and usefully sanctioned, concerning residence, under Paul III., of happy memory, may be wrested to meanings alien from the mind of the sacred and holy synod, as if by force of that decree it were lawful to be absent during five continuous months; the sacred and holy synod, adhering to those [decrees], declares, that all persons who are, under what name and title soever, even though they be cardinals of the holy Roman Church, set over any patriarchal, primatial, metropolitan, and cathedral churches whatsoever, are obliged to personal residence in their own church, or diocese, where they shall be bound to discharge the office enjoined them; and may not absent themselves save for the causes and in the manner below stated. For whereas Christian charity, urgent necessity, due obedience, and the evident utility of the Church, or of the commonwealth, require and demand that some at certain times be absent, this same sacred and holy synod ordains, that these causes of lawful absence are to be approved of in writing by the most blessed Roman Pontiff, or by the metropolitan, or, in his absence, by the oldest resident suffragan bishop, who shall also be bound to approve of the absence of the metropolitan; except when such absence happens on account of some employment and office in the state attached to the bishoprics; the causes of which absence being notorious, and sometimes sudden, it will not be necessary even that these be notified to the metropolitan. To the same, however, it shall belong, conjointly with the provincial council, to judge of the permissions granted by him-

[u] See John x. 14, xxi. 15, sqq. [v] 1 Peter v. 3.

self, or by his suffragan, and to see that no one abuse that right, and that transgressors are punished with the canonical penalties. Meanwhile let those about to depart remember to make such provision for their sheep, as that, as far as is possible, they may sustain no injury through their absence. But, inasmuch as those who are only absent for a short period, are, according to the expression of the ancient canons, not considered to be absent, in that they are about to return immediately; the sacred and holy synod wills, that that term of absence, whether continuous or interrupted, ought by no means to exceed two, or at most three, months; except for the above-mentioned causes; and that regard be had that it be done from a just cause, and without any detriment to the flock: which, whether it be so, the synod leaves to the conscience of those who withdraw themselves, which it hopes will be religious and timorous; seeing that their hearts are open before God, *whose work* they are bound, at their peril, *not to do deceitfully*.[w] In the mean time it admonishes and exhorts the same in the Lord, that, unless their episcopal duties call them to some other part of their own diocese, they on no account be absent from their own cathedral church during the period of the Advent of the Lord, of Lent, the Nativity, of the Lord's Resurrection, of Pentecost, and of Corpus Christi, on which days especially the sheep ought to be refreshed, and to rejoice in the Lord at the presence of the shepherd.

But if any one, which it is to be hoped will never happen, shall be absent, contrary to the regulation of this decree, the sacred and holy synod ordains, that, in addition to the other penalties imposed upon and renewed against non-residents, under Paul III., and the guilt of deadly sin which [such offender] incurs, he acquires no fruits, in proportion to the time of his absence, and that he cannot, even though no other declaration follow, retain them as his with a safe conscience; but that he is bound, or, in his default, his ecclesiastical superior for him, to apply them unto the fabric of the churches, or to the poor of the place; every kind of agreement, or composition as it is called, in regard of ill-gotten fruits, being prohibited, whereby the aforesaid fruits even

[w] Jer. xlviii. 10. See Sess. xxii. ch. ix. after the decrees.

might be wholly, or in part, restored to him; any privileges soever, granted to any college or fabric, notwithstanding.

The same also, both as regards the guilt, the loss of fruits, and the penalties, the sacred and holy synod wholly declares and decrees, in regard to inferior curates, and all others soever who hold any ecclesiastical benefice having cure of souls; in such wise however, as that, whensoever it shall happen that they are absent for a cause that has been first made known to, and approved by, the bishop, they shall leave, with a due assignment of stipend, a suitable vicar, to be approved of by the said ordinary. And they shall not obtain permission to be absent, which is to be granted in writing and gratuitously, beyond a period of two months, except for some weighty cause. And if, after having been cited, even though not personally, by an edict, they shall be contumacious, [the synod] wills, that the ordinaries be at liberty to constrain them by ecclesiastical censures, and by the sequestration and subtraction of fruits, and by other legal remedies, even as far as deprivation; and that the execution hereof shall not be able to be suspended by any privilege soever, license, claim as a domestic, exemption, though even upon the ground of any manner of benefice, by any compact, or statute, even though confirmed by oath or by what authority soever, by any custom, even though immemorial (which is to be looked upon rather as a corruption), or by any appeal, or inhibition, even in the Roman Court, or by virtue of the constitution of Eugenius. Finally, the holy synod commands, that both that decree under Paul III., and this present, shall be published in the provincial and episcopal councils; for it desires that things which so nearly concern the office of pastors, and the salvation of souls, be frequently impressed upon the ears and minds of all men; that so, with God's help, they may never hereafter be abolished through the injury of time, the forgetfulness of men, or by desuetude.

CHAPTER II.

Those set over Churches shall receive the Rite of Consecration within Three Months; in what Place the Consecration is to be performed.

Those who, under what name or title soever, even though they be cardinals of the holy Roman Church, have been set over cathedral, or superior churches, if they shall not have received the rite of consecration within three months, shall be bound to the restoration of the fruits received; if they shall have neglected to do this within three other months afterwards, they shall be by the very fact deprived of their churches. And their consecration, if performed out of the Court of Rome, shall be celebrated in the church to which they have been promoted, or in the province, if it can conveniently be done.

CHAPTER III.

Bishops, except in Cases of Illness, shall confer Orders in person.

Bishops shall confer orders in person; but, should they be hindered by illness, they shall not send their subjects to another bishop for ordination, unless they have been already approved and examined.

CHAPTER IV.

Who are to be initiated by the first Tonsure.

None shall be initiated by the first tonsure, who have not received the sacrament of Confirmation, and who have not been taught the rudiments of the faith; and who do not know how to read and write; and concerning whom there is not a probable conjecture, that they have chosen this manner of life, not that they may fraudulently withdraw themselves from secular jurisdiction, but that they may render unto God a faithful service.

CHAPTER V.

Touching the Matters with which those who are to be ordained ought to be furnished.

Those who are to be promoted to minor orders shall have a good testimonial from their parish priest, and from the

master of the school in which they are educated. But those who are to be raised to any one of the greater orders, shall, a month before ordination, repair to the bishop, who shall commission the parish priest, or such other person as may seem to be more expedient, having stated publicly in the church the names and the desire of those who wish to be promoted, diligently to inform himself, from persons worthy of credit, touching the birth, age, morals, and life of those to be ordained, and to transmit to the bishop himself, as soon as possible, letters testimonial, containing the actual inquiry that has been made.

CHAPTER VI.

The Age of Fourteen Years is required for an Ecclesiastical Benefice; who is to enjoy the Privilege of the Court.[x]

No one, after being initiated by the first tonsure, or even after being constituted in minor orders, shall be able to hold a benefice before his fourteenth year. Furthermore, he shall not enjoy the privilege of the court, unless he have an ecclesiastical benefice; or, wearing the ecclesiastical dress and tonsure, he serves in some church by the bishop's command, or lives with the bishop's permission in an ecclesiastical seminary, or in some school, or university, on the way as it were to receive the greater orders. But as regards married clerks, the constitution of Boniface VIII., which begins, *Clerici qui cum unicis*, shall be observed; provided these clerks, being deputed by the bishop to the service or ministry of some church, serve and minister therein, and make use of the clerical dress and tonsure: no privilege, or custom, even immemorial, herein availing any one.

CHAPTER VII.

Those to be ordained are to be examined by Persons skilled in Divine and Human Law.

The holy synod, adhering to the footsteps of the ancient canons, decrees, that when a bishop has arranged to hold an ordination, all who may wish to be received into the sacred ministry shall be summoned to the city, on the Thursday

[x] *I. e.* the ecclesiastical court.

before the said ordination, or when the bishop shall think fit. And the bishop, taking to his aid priests and other prudent persons, skilled in the divine law, and practised in the sanctions of the Church, shall diligently investigate and examine the parentage, person, age, education, morals, doctrine, and faith of those to be ordained.

CHAPTER VIII.

How, and by whom, each ought to be ordained.

Ordinations of sacred orders shall be celebrated publicly, at the times ordained by law, and in the cathedral church, the canons of that church being invited and present for that purpose; but, if they are celebrated in some other place of the diocese, the clergy of the place are to be present; and the leading church shall always, as far as is possible, be made use of. But each one shall be ordained by his own bishop. And if any one seek to be promoted by another [bishop], this shall by no means be allowed him, even under the pretext of any general or special rescript or privilege soever, even at the appointed times; unless his probity and morals be recommended by the testimony of his own ordinary. If it be otherwise, he who ordains him shall be suspended from the conferring of orders during a year, and he who has been ordained from exercising the orders received, for as long a period as shall seem expedient to his ordinary.

CHAPTER IX.

A Bishop ordaining one of his own Household shall forthwith and really confer upon him a Benefice.

A bishop may not ordain one of his own household, who is not his subject, unless he has lived with him for the space of three years; and he shall really, and without fraud of any kind, straightway confer on him a benefice; any custom, even though immemorial, to the contrary notwithstanding.

CHAPTER X.

Prelates inferior to Bishops shall not confer the Tonsure, or Minor Orders, save upon Regulars their own Subjects; neither shall they, nor any Chapters soever, grant Letters Dimissory: a more grievous Penalty being enacted against those who offend against this Decree.

It shall not hereafter be lawful for abbots, or for any other persons soever, howsoever exempted, being within the limits of any diocese, even though they be said to be of no diocese, or to be exempted, to confer the tonsure, or minor orders, upon any one who is not a regular subject to them; nor shall the said abbots, and other exempted persons, or any colleges, or chapters soever, even those of cathedral churches, grant letters dimissory to any secular clerks, that they may be ordained by others. But the ordination of all these persons shall appertain to the bishops within the limits of whose diocese they are, all things which are contained in the decrees of this holy synod being observed; any privileges, prescriptions, or customs, even though immemorial, notwithstanding. And [the synod] ordains, that the penalty imposed on those, who, contrary to the decree of this holy synod under Paul III., obtain, during the vacancy of the episcopal see, letters dimissory from the chapter, be also extended to those who shall obtain the said letters, not from the chapter, but from any other persons soever, who, during the vacancy of the see, succeed to the jurisdiction of the bishop, in place of the chapter. And they who grant letters dimissory contrary to the form of this decree, shall be by the very fact suspended from their office and benefice during a year.

CHAPTER XI.

The Interstices, and certain other Precepts to be observed in the receiving of Minor Orders.

The minor orders shall be given to such as at least understand the Latin language, but with the appointed interstices of time, unless the bishop shall think it more expedient otherwise; that so they may be taught the more accurately how great is the responsibility of this their state of life; and may exercise themselves in each office, according to the appointment of the bishop; and this in that church to

which they shall be assigned, unless they chance to be absent on account of their studies; and may thus ascend from step to step: that so with their age their worthiness of life and greater learning may increase; of which they will give proof both by the example of their good conduct, by their assiduous ministry in the church, and their greater reverence towards priests and the superior orders, as well as by a more frequent communion than heretofore of the Body of Christ. And whereas from hence is the entrance unto higher grades and to the most sacred mysteries, no one shall be initiated therein, whom the promise of knowledge does not show to be worthy of the greater orders. And such shall not be promoted to sacred orders till a year after the reception of the last degree of minor orders; unless necessity, or the advantage of the Church, according to the bishop's judgment, shall require otherwise.

CHAPTER XII.

Age required for the Greater Orders; the Worthy only to be admitted.

No one shall for the future be promoted to the order of subdeaconship before his twenty-second year; to that of deaconship before his twenty-third; to that of priesthood before his twenty-fifth. Nevertheless, bishops are to know, that not all who have attained to that age must needs be admitted to these orders, but those only who are worthy, and whose approved life is an old age. Regulars likewise shall not be ordained under the above age, nor without a diligent examination by the bishop; all privileges soever in this regard being entirely set aside.

CHAPTER XIII.

On the Manner of Ordination of a Subdeacon and Deacon: on no one shall two Sacred Orders be conferred on the same day.

Such as possess a good testimonial,[y] and have been already approved in minor orders, and are instructed in letters, and in those things which pertain to the exercise of their orders, shall be ordained subdeacons and deacons. They shall have

[y] Cf. 1 Tim. iii. 7.

a hope, with God's help, to be able to live continently; they shall serve in the churches to which they may be assigned; and are to know that it is most highly becoming that, after having ministered at the altar, they should receive the sacred communion, at least on the Lord's days and solemnities. Those who have been promoted to the sacred order of the subdeaconship shall not, until they have been employed therein during at least a year, be permitted to ascend to a higher grade, unless it shall seem otherwise to the bishop. Two sacred orders shall not be conferred on the same day, even upon regulars; any privileges and indults soever, to whomsoever granted, notwithstanding.

CHAPTER XIV.

Who are to be admitted to the Priesthood: the Office of those to be admitted.

Those who have piously and faithfully conducted themselves in their preceding functions, and are admitted to the order of priesthood, shall have a good testimonial, and be such persons as have not only served in their office of deacon during at least an entire year, unless for the utility and the necessity of the Church, it should seem otherwise to the bishop, but who, by a careful previous examination, have also been approved to be competent to teach the people those things which it is necessary for all to know unto salvation, as also [fit] to administer the sacraments; and so conspicuous for piety and chasteness of morals, as that a glorious example of good works and a lesson of life may be expected from them. The bishop shall take care that they celebrate mass at least on the Lord's days, and on solemn festivals; but, if they have the cure of souls, so often as to satisfy their bounden duty. The bishop may, for a lawful cause, grant a dispensation to those who have been promoted *per saltum*,[z] provided they have not exercised the ministry [of that order].

[z] Literally, "at a leap," *i. e.* omitting some inferior gradation of orders.

CHAPTER XV.

No one shall hear Confessions unless approved by the Ordinary.

Although priests in their ordination receive the power of absolving from sins; nevertheless, the holy synod decrees, that no one, even a regular, is able to hear the confessions of seculars, not even of priests, and that he is not to be reputed fit thereunto, unless he either holds a parochial benefice, or is, by the bishops, through an examination, if they shall think it necessary, or in some other manner, judged competent; and has obtained their approval, which shall be granted gratuitously; any privileges, and custom soever, though immemorial, notwithstanding.

CHAPTER XVI.

The Useless and the Vagrant are hindered from the Orders of the Church.

Whereas no one ought to be ordained, who, in the judgment of his own bishop, is not useful or necessary for his churches, the holy synod, adhering to the footsteps of the sixth canon of the Council of Chalcedon, ordains, that no one shall hereafter be ordained, unless he be attached to that church, or pious place, for the need, or utility whereof he is promoted; there to discharge his duties, and not wander about without any certain abode. And if he shall quit that place without consulting the bishop, he shall be interdicted the exercise of sacred [orders]. Furthermore, no clerk, who is a stranger, shall, without letters commendatory from his own ordinary, be admitted by any bishop to celebrate divine service, and to administer the sacraments.

CHAPTER XVII.

In what Manner the Exercise of the Minor Orders is to be restored.

That the functions of holy orders, from the deacon to the door-keeper, which have been laudably received in the Church from the times of the apostles, and which have been for some time interrupted in many places, may again be brought into use according to the sacred canons; and that they may not be traduced by heretics as idle; the holy

synod, burning with the desire of restoring that pristine usage, decrees that, for the future, such ministries shall not be exercised but by those who are constituted in the said orders; and it exhorts in the Lord all and each of the prelates of the churches, and enjoins them, that they take care to restore such functions, as far as can conveniently be done, in the cathedral, collegiate, and parochial churches of their dioceses, where the number of the people and the revenues of the church shall be able to support it; and, to those who exercise those functions, they shall assign stipends out of some part of the revenues of any simple benefices, or those of the fabric of the church, if the revenues allow of it, or out of the revenues of both together, of which [stipends] they may, if they be negligent, be mulcted in a part, or be wholly deprived thereof, according to the judgment of the Ordinary. And if there should not be unmarried clerks at hand to exercise the functions of the four minor orders, their place may be supplied by married clerks of approved life; provided they have not been twice married, be competent to discharge those duties, and wear the tonsure and the clerical dress in church.

CHAPTER XVIII.

Method of erecting a Seminary for Clerks, especially of the Poorer Classes; in the said Erection many things to be observed; touching the Education of those to be promoted to Cathedral and [other] greater Churches.

Whereas the age of youth, unless it be rightly trained, is prone to pursue the pleasures of the world; and unless it be formed, from its tender years, unto piety and religion, before habits of vice have wholly taken possession of men, it never will perfectly, and without the greatest, and almost singular, help of Almighty God, persevere in ecclesiastical discipline; the holy synod ordains, that all cathedral, metropolitan, and other churches greater than these, shall be bound, each according to the measure of its means and the extent of the diocese, to maintain, to educate religiously, and to instruct in ecclesiastical discipline, a certain number of youths of their city and diocese, or, if [that number] cannot there be found, of that province, in a college to be chosen by the bishop for this purpose near the said churches,

or in some other convenient place. And into this college shall be received such as are at least twelve years old, born in lawful wedlock, and who know how to read and write competently, and whose disposition and inclination afford a hope that they will always serve in the ecclesiastical ministries. And it wishes that the children of the poor be principally selected; though it does not however exclude those of the more wealthy, provided they be maintained at their own expense, and carry before them a desire of serving God and the Church. The bishop, having divided these youths into as many classes as shall seem fit to him, according to their number, age, and progress in ecclesiastical discipline, shall, when it seems convenient to him, assign some of them to the ministry of the churches, [and] keep the others in the college to be instructed; and shall supply the place of those who have been withdrawn, by others; that so this college may be a perpetual seminary of ministers of God. And to the end that the youths may be the more conveniently trained in the aforesaid ecclesiastical discipline, they shall always at once wear the tonsure and the clerical dress; they shall learn grammar, singing, ecclesiastical computation, and the other liberal arts; they shall be instructed in sacred Scripture; ecclesiastical books; the homilies of the saints; the manner of administering the sacraments, especially those things which shall seem suited unto hearing confessions; and the forms of the rites and ceremonies. The bishop shall take care that they be every day present at the sacrifice of the mass, and that they confess their sins at least once a month; and receive the body of our Lord Jesus Christ, according to the judgment of their confessor; and on festivals serve in the cathedral and other churches of the place. All which, and other things advantageous and needful unto this object, all bishops shall ordain, with the advice of two of the senior and most discreet canons whom themselves have chosen, as the Holy Spirit shall have suggested; and shall make it their care, by frequent visitation, that the same be always observed. The froward,[a] and incorrigible, and the disseminators of evil morals, they shall punish sharply, even, if necessary by expulsion; and,

[a] Dyscolos.

removing all hindrances, they shall carefully attend to whatsoever things appear to tend to preserve and advance so pious and holy an institution. And inasmuch as some certain revenues will be necessary, for raising the fabric of the college, and for paying their salaries to the teachers and servants, and for maintaining the youths, and for other expenses; besides those [funds] which are, in some churches and places, set apart for instructing or maintaining youths, and which are to be hereby looked upon as applied to this seminary under the said charge of the bishop; the same bishops, with the advice of two of the chapter, of whom one shall be chosen by the bishop, and the other by the chapter itself, and also of two of the clergy of the city, the election of one of whom shall in like manner appertain to the bishop, and of the other to the clergy, shall take away a certain part or portion, out of the entire fruits of the episcopal income, and of the chapter, and of all dignities soever, personates, offices, prebends, portions, abbeys, and priories, of what order soever, even though regular, or of what quality or condition soever they may be, and of hospitals which are conferred under title or administration, according to the constitution of the Council of Vienne, which begins *Quia contingit;* and of all benefices soever, even those belonging to regulars, even if they be under any right of patronage, even if they be exempted, even if they be of no diocese, or are annexed to other churches, monasteries, hospitals, or to any other pious places, even such as are exempted; as also of [the revenues devoted to] the fabrics of churches, and of other places, and likewise of all other ecclesiastical revenues or proceeds soever, even those of other colleges; in which, however, there are not actually seminaries of scholars, or of teachers, for promoting the common good of the church; (for [the synod] wills that such places be exempted,) except in regard of such revenues as may remain superfluous over and above the fitting support of the said seminaries; or of bodies, or confraternities, which in some places are called schools, and of all monasteries, with the exception of the mendicants; also of the tithes in any way appertaining to laymen, out of which ecclesiastical subsidies are wont to be paid, and to the soldiers of any military body, or order, the brethren of Saint

John of Jerusalem alone excepted; and they shall apply to, and incorporate with, the said college that portion so deducted, as also certain simple benefices, of what quality and dignity soever they may be, or even prestimonies, or prestimonial portions, as they are called, even before they fall vacant, without prejudice to the divine service, or to those who hold them. And this shall have effect, even if the benefices be reserved or appropriated; nor shall these unions and applications of the said benefices be suspended, or in any way hindered, by the resignation thereof, but shall still in any case have effect, any way in which they may be vacated, even be it in the [Roman] court, and any constitution whatsoever notwithstanding.

And they shall be compelled by the bishop of the place, by ecclesiastical censures, and other legal remedies, even by calling in for this purpose, if it shall seem fit, the help of the secular arm, to pay this portion of benefices, dignities, personates, and of all and each the above-named [revenues], not merely on their own account, but also on account of what pensions soever they may chance to have to pay to others, out of the said revenues or fruits, keeping back, however, a sum equivalent to what they have to pay on account of those said pensions: any privileges, as regards all and singular the above-mentioned premises, exemptions, even such as might require a special derogation, any custom, even immemorial, or any appeal and allegation, which might hinder the execution hereof, notwithstanding. But in case it should happen that, by means of the said unions obtaining their effect, or from some other cause, the said seminary should be found to be wholly or in part endowed, then shall the portion, deducted as above from all benefices, and incorporated by the bishop, be remitted, either wholly or in part, as the actual circumstances shall require. But if the prelates of cathedral and other greater churches should be negligent in erecting the said seminary, and in preserving the same, and should refuse to pay their share; it will be the duty of the archbishop sharply to rebuke the bishop, and to compel him to comply with all the matters aforesaid, and of the provincial synod [to rebuke and compel in like manner] the archbishop, and earnestly to take care that this holy and pious work be, wherever it is possible, as soon as possible

proceeded with. But the bishop shall annually receive the accounts of the revenues of the said seminary, two deputies from the chapter, and the same number deputed from the clergy of the city, being present.

Furthermore, in order that provision may be made for the teaching in schools of this nature at less expense, the holy synod ordains, that bishops, archbishops, primates, and other ordinaries of places, shall constrain and compel, even by the subtraction of their fruits, those who possess any professorships of theology,[b] and others to whom is attached the office of lecturing or teaching, to teach those who are to be educated in the said schools, personally, if they be competent, otherwise by competent substitutes to be chosen by the same professors, and to be approved of by the ordinary. And if, in the judgment of the bishop, they be not fit, they shall nominate another who is fit, all power of appeal being set aside. But should they neglect this, the bishop himself shall depute one. And the aforesaid [masters] shall teach those things which shall seem expedient to the bishop. And, henceforth, those offices, or dignities, which are called professorships of theology, shall not be conferred on any but doctors, or masters, or licentiates in sacred letters or canon law, or on other competent persons, and such as can personally discharge that office; and any provision made otherwise shall be null and void; all privileges and customs soever, even though immemorial, notwithstanding.

But if the churches in any province labour under so great poverty, that, in some of them, a college cannot be erected; the provincial synod, or the metropolitan, with the two oldest suffragans, shall take care to erect one or more colleges, as shall be judged convenient, in the metropolitan church, or in some other more convenient church of the province, out of the revenues of two or more churches, in which singly a college cannot conveniently be established, where the youths of those churches shall be educated.

But in churches which possess ample dioceses, the bishop may have one or more seminaries in the diocese, as shall seem expedient to him; which shall however be entirely de-

[b] Scholasterias. See the abridged edition of Du Cange, vol. vi. p. 117, ed. Halens.

pendent in all things on the one erected and established in the [episcopal] city.

Lastly, if, either upon occasion of the said unions, or the taxation, or assignment, and incorporation of the said portions, or from some other cause, any difficulty should happen to arise by reason of which the institution, or maintenance of the said seminary may be hindered or disturbed, the bishop, with the deputies as above, or the provincial synod, according to the custom of the country, shall have power, according to the character of the churches and benefices, to regulate and order all and each the matters which shall seem necessary and expedient for the advancement of the said seminary, even so as to modify or enlarge them, if need be.

INDICTION OF THE NEXT SESSION.

Yet further, the same sacred and holy Synod of Trent indicts the next ensuing session for the sixteenth day of the month of September; in which it will treat of the sacrament of Matrimony, and of such other matters, if there be any, relative to the doctrine of faith, as can be expedited, as also touching provisions for bishoprics, dignities, and other ecclesiastical benefices, and divers articles of Reformation.

The session was prorogued until the eleventh day of November, MDLXIII.

SESSION THE TWENTY-FOURTH,

Being the eighth under the Sovereign Pontiff Pius IV., celebrated on the eleventh day of the month of November, 1563.

DOCTRINE TOUCHING THE SACRAMENT OF MATRIMONY.

The first parent of the human race, under the instinct of the divine Spirit, pronounced the bond of matrimony perpetual and indissoluble, when he said; *This is now bone of my bones, and flesh of my flesh. Wherefore shall a man leave his father and mother, and shall cleave unto his wife, and they shall be two in one flesh.*[c]

But, that by this bond two only are coupled and joined

[c] Gen. ii. 23, 24.

together, Christ our Lord taught more openly, when repeating those last words as having been uttered by God, He said, *therefore they are no more twain, but one flesh*;[d] and straightway confirmed the firmness of that tie, proclaimed so long before by Adam, in these words; *What therefore God hath joined together, let no man put asunder.*[e]

But, the grace which might perfect that natural love, and confirm that indissoluble union, and sanctify the wedded, Christ Himself, the institutor and perfecter of the venerable sacraments, merited for us by His passion; which Paul the Apostle intimates, saying: *Husbands, love your wives, even as Christ also loved the Church, and delivered up himself for it*;[f] adding shortly after, *This is a great sacrament, but I speak in Christ and in the Church.*[g]

Whereas therefore matrimony, in the evangelical law, excels the ancient marriages in grace, through Christ; with reason have our holy Fathers, the Councils, and the tradition of the universal Church, always taught, that it is to be numbered amongst the sacraments of the new law; against which impious men of this age raving, have not only entertained false opinions touching this venerable sacrament, but, introducing according to their wont, under the pretext of the Gospel, a liberty of the flesh, they have by writing and word asserted, not without great injury to the faithful of Christ, many things alien from the sentiment of the Catholic Church, and from the usage approved of since the times of the apostles; whose rashness the holy and universal synod wishing to meet, has thought proper, lest their pernicious contagion should draw more after it, that the more conspicuous heresies and errors of the schismatics aforesaid be exterminated, decreeing against the said heretics and their errors the following anathemas.

TOUCHING THE SACRAMENT OF MATRIMONY.

CANON I. If any one shall say, that matrimony is not truly and properly one of the seven sacraments of the evangelic law, instituted by Christ the Lord; but that it has been invented by men in the Church, and that it does not confer grace; let him be anathema.

[d] Matt. xix. 6.
[e] Ibid.
[f] Ephes. v. 25.
[g] Ibid. 32.

CANON II. If any one shall say, that it is lawful for Christians to have several wives at the same time, and that this is not prohibited by any divine law; let him be anathema.

CANON III. If any one shall say, that those degrees only of consanguinity and affinity, which are set down in Leviticus,[h] can hinder matrimony from being contracted, and dissolve it when contracted; and that the Church cannot dispense in some of those degrees, or ordain that others may hinder and dissolve it; let him be anathema.

CANON IV. If any one shall say, that the Church could not constitute impediments dissolving marriage;[i] or that she has erred in constituting them; let him be anathema.

CANON V. If any one shall say, that on account of heresy, or irksome cohabitation, or the intentional absence of one of the parties, the bond of matrimony may be dissolved; let him be anathema.

CANON VI. If any one shall say, that matrimony contracted, but not consummated, is not dissolved by the solemn profession of religion by one of the parties married; let him be anathema.

CANON VII. If any one shall say, that the Church doth err in that she hath taught, and doth teach, according to the evangelical and apostolic doctrine, that the bond of matrimony cannot be dissolved on account of the adultery of one of the married parties; and that both, or even the innocent party, who gave not occasion to the adultery, cannot contract another marriage during the lifetime of the other married person; and, that he is guilty of adultery, who, having put away the adulteress, shall marry another wife, as also she, who, having put away the adulterer, shall wed another husband; let him be anathema.

CANON VIII. If any one shall say, that the Church errs, in that she decrees that, for many causes, a separation may take place between husband and wife, in regard of bed or cohabitation, for a determinate or for an indeterminate period; let him be anathema.

CANON IX. If any one shall say, that clerks constituted in

[h] Levit. xviii. 6, sqq.

[i] See Matt. xvi. 19; a text used on all occasions by the Romanists to prove anything.

sacred orders, or regulars, who have solemnly professed chastity, are able to contract marriage, and that being contracted, it is valid, the ecclesiastical law, or vow, notwithstanding; and that the contrary is nothing else than to condemn marriage; and, that all who do not feel that they have the gift of chastity, even though they have made a vow thereof, may contract marriage; let him be anathema: seeing that God denieth not that gift to them that ask it rightly, neither does *He suffer us to be tempted above that we are able*.[1]

CANON X. If any one shall say, that the marriage state is to be preferred before a state of virginity, or of celibacy, and that it is not better and more blessed to remain in virginity, or in celibacy, than to be joined in matrimony; let him be anathema.

CANON XI. If any one shall say, that the prohibition of the solemnization of marriages at certain times of the year, is a tyrannical superstition, proceeding from the superstition of the heathen; or shall condemn the benedictions and other ceremonies of which the Church makes use therein; let him be anathema.

CANON XII. If any one shall say, that matrimonial causes do not concern ecclesiastical judges; let him be anathema.

DECREE TOUCHING THE REFORMATION OF MARRIAGE.

CHAPTER I.

The Form prescribed in the Council of Lateran for solemnly contracting Marriage is renewed. Bishops may dispense with the Banns. If any one contracts Marriage otherwise than in the presence of the Parish Priest and of Two or Three Witnesses, it comes to nothing.

Although it is not to be doubted, that clandestine marriages, made with the free consent of the parties contracting, are valid and true marriages, so long as the Church has not rendered them invalid; and consequently, that those persons are justly to be condemned, as the holy synod doth condemn them with anathema, who deny that such marriages are true and valid; as also those who falsely affirm that marriages contracted by the children of a family, without the consent

[1] 1 Cor. x. 13.

of their parents, are invalid, and that parents can make such marriages either valid or invalid; nevertheless, the holy Church of God has, for most just reasons, at all times detested and prohibited them. But, whereas the holy synod perceives that those prohibitions, by reason of men's disobedience, no longer avail; and whereas it takes into account the grievous sins which arise from the said clandestine marriages, and especially the sins of those parties who continue in a state of damnation, when, having left their former wife, with whom they had privily contracted marriage, they publicly marry another, and live with her in perpetual adultery; an evil which the Church, which judges not of things hidden, cannot rectify, unless some more efficacious remedy be applied; therefore, treading in the footsteps of the sacred Council of Lateran, celebrated under Innocent III., it ordains that, for the future, before a marriage is contracted, it shall three times be announced publicly in the church, by the proper parish priest of the contracting parties, during the solemnization of mass, on three continuous festival days, between whom marriage is to be celebrated; after which banns being published, if there be no lawful impediment opposed, the marriage shall be proceeded with in the face of the church; where the parish priest, after having questioned the man and the woman, and having learnt their mutual consent, shall either say, "I join you together in matrimony, in the name of the Father, and of the Son, and of the Holy Ghost;" or shall use other words, according to the received rite of each province. But if there should at any time be a probable suspicion that the marriage may be maliciously hindered, if so many publications of banns have preceded it; in this case either one publication only shall be made; or at least the marriage shall be celebrated in the presence of the parish priest, and of two or three witnesses. Then, before the consummation thereof, the banns shall be published in the church; that so, if there be privily any impediments, they may the more easily be discovered: unless the ordinary shall himself judge it to be expedient, that the publications aforesaid be dispensed with, which the holy synod leaves to his prudence and judgment. Those who shall attempt to contract marriage otherwise than in the presence of the parish priest, or of some other priest

by permission of the said parish priest, or of the ordinary, and in the presence of two or three witnesses; them doth the holy synod render utterly incapable of thus contracting, and declares such contracts void and null, as by the present decree it declares them void and annuls them. Yet further, it enjoins that the parish priest, or any other priest, who shall have been present at any such contract with a less number of witnesses [than aforesaid]; as also the witnesses who have been present thereat without the parish priest, or some other priest; and, also, the contracting parties themselves; shall be severely punished, at the discretion of the ordinary. Furthermore, the same holy synod exhorts that the married couple do not live together in the same house until they have received the sacerdotal benediction, which is to be received in the church; and it ordains that the benediction shall be given by their own parish priest, and that permission to bestow the aforesaid benediction cannot be granted by any other than the parish priest himself, or the ordinary; any custom, even though immemorial, which is rather to be called a corruption, or any privilege, notwithstanding. And if any parish priest, or any other priest, whether he be regular or secular, shall dare to unite in marriage the betrothed of another parish, or to bless them [when married], without the permission of their parish priest, he shall, even though he may contend that he is allowed to do this by a privilege, or an immemorial custom, remain by the very act suspended, until he be absolved by the ordinary of that parish priest who ought to have been present at the marriage, or from whom the benediction ought to have been received. The parish priest shall have a book, which he shall keep carefully by him, in the which he shall register the names of the parties married, and of the witnesses, and the time and place of the marriage being contracted. Finally, the holy synod exhorts those who marry, that, before they contract, or, at all events, three days before the consummation of marriage, they carefully confess their sins, and approach piously to the most holy sacrament of the Eucharist. If any provinces have herein in use any praiseworthy customs and ceremonies, besides the aforesaid, the holy synod earnestly desires that they by all means be retained. And lest these so wholesome injunctions be unknown

to any, it enjoins on all ordinaries, that they, as soon as they are able, take care that this decree be published and explained to the people in every parish church of their respective dioceses; and that this be done as often as possible during the first year; and afterwards, as often as they shall judge it to be expedient. It decrees, furthermore, that this decree shall begin to have its effect in each parish at the expiration of thirty days, to be reckoned from the day of its first publication made in the said parish.

CHAPTER II.

Between whom Spiritual Relationship is contracted.

Experience teaches, that, by reason of the multitude of prohibitions, marriages are oftentimes unwittingly contracted in prohibited cases, in which [marriages] either [the parties] continue, not without great sin, or they are dissolved, not without great scandal. The holy synod, therefore, wishing to provide against this inconvenience, and beginning with the impediment arising from spiritual relationship, ordains, that, according to the institutions of the sacred canons, one person only, whether male or female, or at most one male and one female, shall receive in baptism the person baptized; between whom and the baptized, and the father and mother thereof; as also between the person baptizing and the baptized, and the father and mother of the baptized, [and these] only, shall a spiritual relationship be contracted. The parish priest, before that he proceeds to confer baptism, shall carefully inquire of those whom it may regard, what person or persons they have chosen to receive from the sacred font the person baptized, and he shall allow him or them only to receive him, and shall register their names in the book, and teach them what relationship they have contracted, lest they have any excuse on the plea of ignorance. And if any others, besides those designated, should touch the baptized, they shall not in any respect contract a spiritual relationship; constitutions that tend to the contrary notwithstanding. If, through the fault or negligence of the parish priest, anything be done contrary hereto, he shall be punished at the discretion of the ordinary. That relationship, likewise, which is contracted by confirmation, shall not

pass beyond him who confirms, and the person confirmed, and his father and mother, and him who holdeth him; all impediments resulting from this kind of spiritual relationship between other persons being utterly set aside.

CHAPTER III.

The Impediment of Public Honesty is confined within certain Limits.

The holy synod entirely removes the impediment of justice resulting from public honesty, whensoever espousals shall be, for what cause soever, not valid. But, when they are valid, they[k] shall not extend beyond the first degree; insomuch as any such prohibition can no longer be observed, without injury, in more remote degrees.

CHAPTER IV.

Affinity arising from Fornication is restricted to the Second Degree.

Moreover, the holy synod, moved by the same and other most weighty reasons, restricts, to those only who are connected in the first and second degree, the impediment, which is contracted by affinity resulting from fornication, and which dissolves the marriage that may afterwards have been made. But, as regards more remote degrees, it ordains that this kind of affinity do not dissolve the marriage that may have been afterwards contracted.

CHAPTER V.

No one is to contract [Marriage] within the Prohibited Degrees: in what Manner Dispensation is to be granted therein.

If any one shall presume knowingly to contract marriage within the prohibited degrees, he shall be separated, and be deprived of hope of obtaining a dispensation; and this shall much the rather have effect in regard of him who shall have dared not only to contract, but also to consummate, such a marriage. But if he have done this unwittingly, but has yet neglected the solemnities required in contracting matrimony, he shall be subjected to the same penalties; for he who has

[k] *I. e.* the impediments.

rashly despised the wholesome precepts of the Church, is not worthy to experience her bounty with ease. But if, having observed the solemnities, some impediment be afterwards discovered to exist secretly, of which he might probably be ignorant, he may then obtain a dispensation more easily, and gratuitously. As regards marriages to be contracted, either no dispensation at all shall be granted, or but seldom, and then for a cause, and gratuitously. A dispensation shall never be granted in the second degree, except between great princes, and for a public cause.

CHAPTER VI.

How Ravishers are to be punished.

The holy synod ordains, that no marriage can subsist between the ravisher and her who is ravished, so long as she shall remain in the power of the ravisher. But if she that has been ravished, being separated from her ravisher, and being in a safe and free place, shall consent to have him for her husband, the ravisher may have her for his wife; nevertheless, the abducer himself and all who afforded him advice, aid, and countenance, shall be by the very act excommunicated, and for ever infamous, and incapable of all dignities; and if they be clerks, they shall forfeit their rank. The ravisher shall furthermore be bound, whether he marry or do not marry the woman ravished, to settle on her a suitable dowry at the discretion of the judge.

CHAPTER VII.

Vagrants are to be married with caution.

There are many persons who are vagrants, and have no settled homes; and, being of a dissolute disposition, they, after deserting their first wife, marry another, and very often several in different places, during her lifetime. The holy synod, being desirous to meet this disorder, gives this fatherly admonition to all whom it concerns, not easily to admit this class of vagrant persons to marriage; and it also exhorts the civil magistrates to punish them severely. But it commands parish priests that they do not be present at the marriages of such persons, unless they have first made

a diligent inquiry, and, having reported the matter to the ordinary, shall have obtained permission from him so to do.

CHAPTER VIII.

Concubinage is punished with the most Grievous Penalties.

It is a grievous sin for unmarried men to have concubines; but it is a most grievous sin, and one committed in special contempt of this great sacrament, for married men also to live in this state of damnation, and to have the audacity sometimes to maintain and keep them at home even with their own wives. Wherefore, the holy synod, that it may by opportune remedies provide against this so great an evil, ordains that these concubinaries, whether unmarried or married, of what state, dignity, and condition soever they may be, if, after they have been thrice admonished on this subject by the ordinary, even according to the duties of his office,[1] they shall not have put away their concubines, and have separated themselves from connection with them, they shall be smitten with excommunication; from which they shall not be absolved until they have really obeyed the admonition given. But if, neglectful of these censures, they shall continue in concubinage during a year, they shall be proceeded against with severity by the ordinary, according to the character of the crime. Women, whether married or single, who live publicly with adulterers or with concubinaries, if, after having been thrice admonished, they shall not obey, shall be rigorously punished, according to the measure of their guilt, by the ordinaries of the places, according to the duties of their office, even though no one should call upon them [to do so]; and they shall be cast out from the city or diocese, if it shall seem fit to the ordinaries, the aid of the secular arm being called in, if need be; the other penalties inflicted on adulterers and concubinaries remaining in their proper force.

[1] Ex officio.

CHAPTER IX.

That Temporal Lords, or Magistrates, shall not attempt anything contrary to the Liberty of Marriage.

Earthly affections and lusts do for the most part so blind the eyes of the mind of temporal lords and magistrates, as that, by threats and pains, they compel both men and women, living under their jurisdiction, especially such as are rich, or have expectations of a great inheritance, unwillingly to contract marriage with those whom the said lords or magistrates may prescribe unto them. Wherefore, seeing it is a thing especially wicked to violate the liberty of matrimony, and that wrongs proceed from those from whom right is expected, the holy synod enjoins on all, of what degree, dignity, and condition soever they may be, under pain of anathema to be incurred by the very act, that they do not in any way constrain, directly or indirectly, those subject to them, or any others soever, so as to hinder them from freely contracting marriage.

CHAPTER X.

The Solemnities of Marriage are prohibited at certain times.

The holy synod commands, that the ancient prohibitions of solemn nuptials, from the Advent of our Lord Jesus Christ until the day of the Epiphany, and from Ash-Wednesday until the octave of Easter inclusively, be carefully observed by all; but at other times it allows marriages to be solemnly celebrated; concerning which the bishops shall take care, that they be conducted with becoming modesty and propriety. For marriage is a holy thing, and is to be treated in a holy manner.

DECREE CONCERNING REFORMATION.

The sacred and holy synod, pursuing the subject of Reformation, decrees that the things following be ordained in the present session.

CHAPTER I.

The Rule for the Proceeding to the Creation of Bishops and Cardinals.

If, as regards all manner of degrees soever in the Church, provident and judicious care is to be taken, that in the house of the Lord there be nothing disorderly, nothing preposterous; much more earnestly ought we to strive that no error be committed in the election of him, who is constituted above all those degrees. For the state and order of the whole household of the Lord will totter, if what is required in the body be not found in the head. Hence, although the holy synod has elsewhere usefully ordained certain things touching those to be promoted to cathedral and superior churches, yet doth it account this office to be of such a nature, as that were men to ponder upon it in proportion to its greatness, there would never seem to have been caution enough taken. Wherefore it ordains, that, as soon as a church shall become vacant, supplications and prayers shall be made in public and private; and such shall be enjoined, by the chapter, throughout the city and diocese; that thereby both clergy and people may be able to obtain from God a good pastor. And as regards all and each of those who have, in any way, any right from the Apostolic See, or who otherwise have their part in the promotion of those to be set over [churches]; the holy synod, without making any change herein, from a consideration of present circumstances, exhorts and admonishes them, that they above all things be mindful that they cannot do anything more advantageous to the glory of God, and the salvation of the people, than if they study to promote good pastors, and such as are competent to govern a church; and that they commit a deadly sin, becoming partakers in other men's sins, unless they take diligent care that those be set over [the churches], whom they themselves judge most worthy and most useful to the church, not being guided by entreaties, or human affection, or the solicitations of canvassers, but by what the merits of the persons themselves demand at their hands; and that they be persons whom they know to have been born in lawful wedlock, and who, by their life, age, learning, and all other qualifications, are such as are required according to the sacred canons, and the

decrees of this Synod of Trent. And insomuch as, by reason of the diversity of nations, people, and manners, a uniform system cannot be adopted everywhere, in receiving the grave and competent testimony of good and learned men touching the aforesaid qualifications, the holy synod commands, that, in a provincial synod, to be held by the metropolitan, there shall be prescribed for each place and province a proper form of examination, scrutiny, or information, such as shall seem to be most useful and convenient for the said places, to be approved by the discretion of the most holy Roman Pontiff; yet so, however, that, after that this examination or scrutiny, as concerns the person to be promoted, shall have been completed, it shall, after having been reduced into the form of a public document, be by all means transmitted, as soon as possible, with the whole attestation and profession of faith made by him,[m] to the most holy Roman Pontiff, to the end that the said Sovereign Pontiff, having a full knowledge of the whole matter and of the persons, may, to the advantage of the Lord's flock, in a more useful manner provide for the churches out of their number,[n] if, by examination or scrutiny, they shall have been found competent persons. And all the scrutinies, informations, attestations, and proofs, of what kind soever, and by whomsoever made, even though in the Roman court, touching the qualifications of the person to be promoted, shall be diligently examined by a cardinal, who shall be bound to report[o] thereon to the consistory, and by three other cardinals; and the said report shall be confirmed by the signature of the cardinal who gave the report, and of the three other cardinals; in the which the four cardinals shall each make affirmation that, after bestowing diligent attention thereon, he has found the persons to be promoted, endowed with the qualifications required by law, and by this holy synod, and that, at the peril of his eternal salvation, he doth certainly consider them competent to be placed over the churches; in such wise that, after the report has been made in one consistory, to the end that the said inquiry may be more maturely considered in the mean time, the sentence shall be deferred until

[m] *I. e.* the person to be promoted.
[n] "De illis," unless "illis" refers to "ecclesiis."
[o] Relationem facturus erit.

another consistory, unless it shall seem expedient to the most blessed Pontiff to act otherwise. And [the synod] decrees, that all and each of the particulars which have been elsewhere ordained, in the same synod, touching the life, age, learning, and other qualifications of those who are to be promoted to be bishops, the same are also to be required in the creation of cardinals of the holy Roman Church, even though they be deacons; whom the most holy Roman Pontiff shall, as far as can conveniently be done, choose out of all the nations of Christendom, as he shall find persons competent. Finally, the same holy synod, moved by the so many most grievous difficulties of the Church, cannot avoid calling to mind, that nothing is more necessary for the Church of God than that the most blessed Roman Pontiff apply especially here to that solicitude, which, by the duty of his office, he owes to the Universal Church; that he take unto himself, to wit as cardinals, men the most select only, and that he set over each church, above all things, good and competent pastors; and this the more, for that our Lord Jesus Christ will *require at his hands the blood*[p] of those sheep of Christ which shall perish through the evil government of pastors who are negligent, and forgetful of their office.

CHAPTER II.

Provincial Synods shall be celebrated every Third Year; Diocesan Synods every Year: who are to convoke, and who to be present at them.

Provincial councils, wheresoever they have been omitted, shall be renewed, for the regulating of morals, the correcting of excesses, the settling of controversies, and for the other matters allowed by the sacred canons. Wherefore, the metropolitans in person, or if they be lawfully hindered, the oldest suffragan bishop, shall not omit to assemble a synod, each in his own province, within a year at latest from the termination of the present council, and thenceforth, at least every third year, either after the octave of the Resurrection of our Lord Jesus Christ, or at some other more convenient time, according to the custom of the province; at which [council] all the bishops and others, who, by right or custom,

[p] Ezek. iii. 18.

ought to be present thereat, shall be by all means bound to assemble, those excepted who would have to cross the sea at their imminent peril. Nor shall the bishops of the province for the future be compelled, under the pretext of any custom soever, to repair to the metropolitan church against their will. Those bishops, likewise, who are not subject to any archbishop, shall once for all choose some neighbouring metropolitan, at whose provincial synod they shall be bound to be present with the other [bishops], and shall observe, and cause to be observed, whatsoever shall be ordained therein. In all other matters, their exemption and privileges shall remain whole and entire.

Diocesan synods also shall be celebrated every year; to which all, even those who are exempted, but who otherwise, that exemption ceasing, ought to attend, and who are not subject to general chapters, shall be bound to come; it being understood however that, in the case of parochial, or other secular churches, even though annexed, those who have charge thereof, whosoever they may be, must needs be present at the said synod. But if any, whether metropolitans or bishops, or the others above mentioned, shall be negligent in these matters, they shall incur the penalties ratified by the sacred canons.

CHAPTER III.

In what Manner Visitation is to be made by Prelates.

Patriarchs, primates, metropolitans, and bishops shall not omit to visit their own respective dioceses, either personally, or, if they be lawfully hindered, by their vicar-general, or visitor; if they shall not be able to visit the whole annually, on account of its extent, they shall visit at least the greater part thereof, so that the whole shall be completed in two years, either by themselves, or by their visitors. Metropolitans, however, even after having completely visited their own proper diocese, shall not visit the cathedral churches, or the dioceses of the bishops of their province, except for a cause known and approved of in the provincial council. But archdeacons, deans, and other inferiors, shall henceforth visit those churches, in which they have been hitherto accustomed lawfully to exercise visitations; but by themselves only, with the consent of the bishop, and assisted by a notary.

The visitors also who may be deputed by a chapter, where the chapter has the right of visitation, shall first be approved by the bishop; but the bishop, or, if he be hindered, his visitor, shall not thereby be prevented from visiting those same churches a part from them; and the said archdeacons, and other inferiors, shall be bound to give [the bishop] an account, within a month, of the visitation that has been made, and to show him the depositions of witnesses, and the entire proceedings; any custom, even though immemorial, and any exemptions and privileges soever, notwithstanding. But the principal object of all these visitations must be to introduce sound and orthodox doctrine, by banishing heresies; to maintain good morals, and to correct evil ones; to incite the people, by exhortations and admonitions, unto religion, peace, and innocence; and to establish such other things as, according to the prudence of the visitors, shall seem for the profit of the faithful, as time, place, and opportunity shall allow. And to the end that all these matters may have a more easy and prosperous issue, all and each of the aforesaid, whom the right of visitation concerns, are admonished that they treat all persons with fatherly tenderness and Christian zeal; and therefore being content with a modest train of horses and servants, they shall strive to complete the said visitation as speedily as possible, yet with due diligence. And they shall meanwhile be careful not to be grievous or burthensome to any one by any useless expenses; and neither they, nor any of theirs, shall, by way of agency fee[q] for the visitation, or, on account of wills made for pious uses, except that which is due to them of right out of pious bequests, or under any other name soever, receive anything, either money, or present, of what kind soever, or in what way soever offered; any custom, even though immemorial, notwithstanding; with the exception, however, of food, which shall be furnished frugally and in moderation to them and theirs, only during the necessary period, and no longer. It shall, however, be at the option of those who are visited, to pay, if they prefer it, in a fixed assessment of money,[r] what they have been heretofore accustomed to pay, or to furnish the food aforesaid; saving also the right of

[q] Procurationis causa. [r] Certa pecunia taxata.

ancient conventions entered into with monasteries, or other pious places, or churches not parochial, which shall remain inviolate. But, in those places or provinces, where it is the custom that neither food, nor money, nor anything else be received by the visitors, but that all be done gratuitously, the same shall there be retained. But if any one, which far be it, shall presume to receive anything more than is prescribed in any of the cases above mentioned; besides the restitution of double the amount, to be made within a month, he shall also be mulcted, without any hope of pardon, in the other penalties contained in the constitution of the general Council of Lyons, which begins, *Exigit;* as also in the other penalties [enacted] in the provincial synod, at the discretion of that synod. But patrons shall not presume in any way to interfere in those things which regard the administration of the sacraments; nor shall they mix themselves up with the visitation of the ornaments of the church, or its revenues arising from landed property, or from the rental of buildings,[a] excepting so far as they are competent to do this by the institution, or foundation; but the bishops shall themselves attend to these things, and shall take care that the revenues of those buildings be expended upon purposes necessary and useful for the church, as shall to them seem most expedient.

CHAPTER IV.

By whom, and when, the Office of Preaching is to be discharged. The Parish Church to be frequented in order to hear the Word of God. No one shall Preach in opposition to the Will of the Bishop.

The holy synod desirous that the office of preaching, which peculiarly appertains to bishops, may more frequently be exercised for the welfare of the faithful, in accommodating more aptly to the use of the present times the canons elsewhere set forth on this subject, under Paul III., of happy memory, ordains, that the bishops shall themselves in person, each in his own church, announce the sacred Scriptures and the divine law, or, if they shall be lawfully hindered, by those whom they shall appoint to the office of preaching; and in the other churches by the parish priests,

[a] Fabricarum proventibus.

or, they being hindered, by others to be deputed by the bishop, whether in the city, or in any other part soever of the diocese wherein they shall judge it to be expedient, at the charge of those who are bound, or who are accustomed to defray it, and this at least on all Lord's days and solemn festivals; but, during the season of the fasts, of Lent and of the Advent of our Lord, daily, or at least on three days in the week, if [the said bishops] shall deem it to be needful; and, at other times, as often as they shall judge that it can opportunely be done. And the bishop shall diligently admonish the people, that each one is bound to be present at his own parish church, where that can be conveniently done, to hear the word of God. But no one, whether secular or regular, shall presume to preach, even in churches of his own order, in opposition to the will of the bishop. The said [bishops] shall also take care, that, at least on the Lord's days and other festivals, the children in every parish be diligently taught the rudiments of the faith, and obedience towards God and their parents, by those whom it concerns, and, if need be, they shall constrain them even by ecclesiastical censures; any privileges and customs notwithstanding. In other respects, those things which were decreed under the said Paul III., concerning the office of preaching, shall have their proper force.

CHAPTER V.

Of Criminal Causes against Bishops, the Greater Ones shall be taken cognizance of by the Sovereign Pontiff only, the Lesser by the Provincial Council.

The more grave criminal causes against bishops, even of heresy, which far be it! which are deserving of deposition or deprivation, shall be taken cognizance of and decided by the Sovereign Roman Pontiff himself only. But if the cause shall be of such a nature that it must necessarily be committed out of the Roman Court, it shall not be committed to any others soever, but to metropolitans, or bishops, to be chosen by the most blessed Pope. And this commission must both be special, and signed by the most holy Pontiff's own hand; nor shall he ever grant more to them than this; that they take information only of the fact,

and draw up the process, which they shall straightway transmit to the Roman Pontiff; the definitive sentence being reserved to the said most holy [Pontiff].

The other things elsewhere decreed hereupon, under Julius III., of happy memory, as also the constitution [published] in a general council under Innocent III., which begins, *Qualiter et quando*, which the holy synod renews in this present decree, shall be observed by all.

But the lesser criminal causes of bishops shall be taken cognizance of and decided in the provincial council only, or by persons to be deputed thereunto by the provincial council.

CHAPTER VI.

Power is given to the Bishops touching Dispensations in Cases of Irregularity and Suspension, and Absolution from Crimes.

It shall be lawful for the bishop to dispense in all manner of irregularities and suspensions, arising from a secret crime, except that which arises from wilful homicide, and those crimes which have already been carried before a judicial[t] tribunal; and [it shall be lawful for them], in their own diocese, either of themselves, or by a vicar to be deputed especially for that purpose, to absolve gratuitously, as far as the court of conscience is concerned,[u] having imposed a salutary penance, all delinquents soever their subjects, in all secret cases soever, even though reserved for the Apostolic See. The same also, as regards the crime of heresy, shall be permitted in the said court of conscience, but to them only, and not to their vicars.

CHAPTER VII.

The Virtue of the Sacraments shall, before it be administered to the People, be explained by Bishops and Parish Priests. During the Solemnization of Mass, the Sacred Pages shall be explained.

To the end that the faithful people may approach to the receiving of the sacraments with greater reverence and devotion of mind, the holy synod enjoins on all bishops, that, not only when they shall themselves be about to administer them to the people, they shall first explain, in a

[t] Contentiosum. [u] In foro conscientiæ.

manner suited to the capacity of the recipients, the effect and use of those [sacraments], but shall endeavour that the same conduct be observed piously and prudently by every parish priest; and this even in the vulgar tongue, if need be, and it can conveniently be done, according to the form to be prescribed for each of the sacraments, by the holy synod, in a catechism which the bishops shall take care to have faithfully translated into the vulgar tongue, and to have expounded to the people by all parish priests; as also that, during the solemnization of mass, or the celebration of the divine offices, they explain, in the said vulgar tongue, on all festivals, or solemnities, the sacred oracles, and the maxims of salvation; and that, setting aside all unprofitable questions, they endeavour to insinuate them into the hearts of all, and to instruct them in the law of the Lord.

CHAPTER VIII.

Public Sinners shall do Penance publicly, unless the Bishop shall determine otherwise. A Penitentiary to be instituted in Cathedral Churches.

The apostle admonishes that those who sin publicly are to be rebuked openly.[v] When therefore any one has committed a crime, publicly and in the sight of many, whereby there is no doubt that others have been offended and disturbed by a scandal; upon him there must needs be publicly imposed a penance fitting the measure of his guilt; that so those whom, by his example, he has allured to evil manners, he may bring back to an upright life by the testimony of his amendment. The bishop, however, may, when he shall judge it to be more expedient, commute this kind of public penance into one that is secret. Likewise, in all cathedral churches, where it can conveniently be done, a penitentiary shall be appointed by the bishop, with the prebend that shall next become vacant annexed, which penitentiary shall be a master, or doctor, or licentiate in theology, or in canon law, and forty years of age, or another who shall be found more suitable considering the character of the place; who, whilst hearing confessions in the church, shall meanwhile be reputed as present in choir.

[v] 1 Tim. v. 20.

CHAPTER IX.

By whom Secular Churches, not belonging to any Diocese, ought to be visited.

Those things which have elsewhere been ordained by this same council, under Paul III., of happy memory, and lately under our most blessed lord Pius IV., touching the diligence to be employed by the ordinaries in the visiting of benefices, even though exempted, the same shall also be observed in regard to those secular churches which are said to be in no one's diocese; that they shall be visited by the bishop, as the delegate of the Apostolic See, whose cathedral church is the nearest, if it be possible; otherwise, by him who has been once for all selected by the prelate of the said place in the provincial council; any privileges and customs soever, even though immemorial, notwithstanding.

CHAPTER X.

The Performance of Visitation is not to be suspended by those subject.

Bishops, to the end that they may be the better able to keep the people whom they rule in duty and obedience, shall, in all those things which concern visitation and correction of manners, have the right and power, even as delegates of the Apostolic See, of ordaining, regulating, punishing, and executing, in accordance with the enactments of the canons, in those matters which, in their prudence, shall seem to them necessary for the amendment of their subjects, and for the advantage of their respective dioceses. Nor herein, when visitation, or correction of manners is concerned, shall exemption, or any inhibition, appeal, or complaint, even though interposed unto the Apostolic See, in any way hinder, or suspend the execution of those things which shall have been by them commanded, decreed, or adjudged.

CHAPTER XI.

Honorary Titles, or Particular Privileges, shall not detract in any way from the Right of Bishops. The chapter, Quum capella, concerning Privileges, is renewed.

Insomuch as the privileges and exemptions which, under various titles, are granted to very many persons, are clearly

found to raise, in these days, disturbance in the jurisdiction of bishops, and to give to those exempted occasion for a more relaxed life; the holy synod decrees, that, if at any time it shall seem fit, for just, weighty, and well nigh necessary causes, that certain persons be distinguished by the honorary titles of Protonotary, Acolyte, Count Palatine, Royal Chaplain, or other such titles of distinction, whether in the Roman Court or elsewhere; as also that others be admitted into monasteries as Oblates, or as thereunto attached in some other way, or under the name of servants to military orders, monasteries, hospitals, colleges, or under any other title soever; nothing is to be understood as being, by these privileges, taken away from the ordinaries, so as to prevent those persons, to whom those things have already been granted, or to whom they may be hereafter happen to be conceded, from being fully subject in all things to the said ordinaries, as delegates of the Apostolic See, and this as regards Royal Chaplains, according to the constitution of Innocent III., which begins *Quum capella*: those persons, however, being excepted, who in the aforesaid places are engaged in actual service, or in military orders, and who reside within their enclosures and houses, and live under obedience to them; as also those who have made their profession lawfully and according to the rules of the said military orders, touching which the ordinary must be certified: any privileges whatsoever, even those of the order of Saint John of Jerusalem, and of other military orders notwithstanding. But, as regards those privileges which, by force of the constitution of Eugenius, are wont to belong to those who reside in the Roman Court, or who belong to the household of cardinals, such [privileges] shall in no wise be understood to apply to those who possess ecclesiastical benefices, in so far as concerns those benefices; but [such persons] shall continue subject to the jurisdiction of the ordinary; any inhibitions to the contrary notwithstanding.

CHAPTER XII.

What Manner of Persons those ought to be who are to be promoted to the Dignities and Canonries of Cathedral Churches: and what those promoted are bound to perform.

Whereas dignities in churches, especially in cathedral ones, were established to preserve and increase ecclesiastical discipline, to the end that those who should obtain them, might be pre-eminent in piety, and be an example to others, and aid the bishop by their exertions and services; it is but reasonable, that those who are called unto those dignities, should be such as to be able to answer the purposes of their office. No one, therefore, shall henceforth be promoted to any dignities soever, to which the cure of souls is attached, unless he have attained at least to the twenty-fifth year of his age, and, having been practised for some time in the clerical order, is recommended by the learning necessary for the discharge of his office, and by integrity of morals, according to the constitution of Alexander III., promulgated in the Council of Lateran, which begins, *Quum in cunctis.*

Archdeacons also, who are called the eyes of the bishop, shall, in all churches, where it is possible, be masters in theology, or doctors or licentiates in canon law. But, to the other dignities or personates, to which no cure of souls is attached, clerks shall be taken in, who are in other respects competent, and who are not less than twenty-two years of age. Those also who are promoted to any benefices whatsoever having cure of souls, shall, within two months at latest from the day of obtaining possession, be bound to make public profession of their orthodox faith in the presence[w] of the bishop himself, or, if he be hindered, before his vicar-general, or official; and shall promise and swear that they will continue in obedience to the Roman Church. But those who are promoted to canonries and dignities in cathedral churches, shall be bound to do the same not only before the bishop, or his official, but also in the chapter; otherwise all those promoted as aforesaid shall not render the fruits their own; nor shall possession avail them. Nor shall they henceforth receive any one to a dignity, canonry,

[w] Lit. "in the hands."

or portion, but him who has either already been initiated into the sacred order which that dignity, prebend, or portion requires, or is of such an age as to be capable of being initiated into that order, within the time ordained by law and by this holy synod. But as regards all cathedral churches, all canonries and portions shall be attached to the order of the priesthood, deaconship, or subdeaconship; and the bishop, with the advice of the chapter, shall designate and distribute, as it shall seem to be expedient, to which [therefore] each of those respective holy orders is for the future to be annexed; in such wise, however, that one-half at least shall be priests, but the rest deacons, or subdeacons. But where the more praiseworthy custom requires, that the greater part, or all, be priests, it shall by all means be observed. Moreover, the holy synod exhorts that, in provinces where it can conveniently be done, all the dignities, and at least one-half of the canonries, in cathedral and eminent collegiate churches, be conferred only on masters, or doctors, or even on licentiates in theology, or canon law. Furthermore, it shall not be lawful, by force of any manner of statute or custom soever, for those who possess, in the said cathedral or collegiate churches, any dignities, canonries, prebends, or portions, to be absent from those said churches, above three months in each year; saving, however, the constitutions of those churches which require a longer term of service. Otherwise every one shall, for the first year, be deprived of one half of the fruits which he has made his own by reason even of his prebend and residence. But, if he again display the same negligence, he shall be deprived of all the fruits which he may have gained during that same year; and, the contumacy increasing, such [offenders] shall be proceeded against according to the constitutions of the sacred canons. As regards the distributions, however; those who have been present at the stated hours shall receive them; the rest shall, all collusion and remission soever being set aside, forfeit them, according to the decree of Boniface VIII., which begins, *Consuetudinem*, which the holy synod again calls into use; any statutes or customs soever to the contrary notwithstanding. And all shall be compelled to perform the divine offices in person, and not by substitutes; as also to attend on and serve the bishop when celebrating [mass],

or performing any other pontifical functions; and reverently, distinctly, and devoutly to praise the name of God, in hymns and canticles, in the choir instituted for psalmody.

They shall, furthermore, at all times make use of a becoming dress, both in and out of church; shall abstain from unlawful hunting, hawking, dancing, taverns, and games; and abound in such integrity of manners, as that they may with justice be called the senate of the Church. As to the other matters, which regard the fitting manner of conducting the divine offices, and the proper way of singing or chanting therein, the fixed regulations for assembling and remaining in choir, as also such things as may be necessary in regard of all the ministers of the church, and any other matters of the like kind; the provincial synod shall prescribe a fixed form on each subject, considering the utility and habits of each province. But, in the meantime, the bishop, —with not less than two canons, one of whom shall be chosen by the bishop, the other by the chapter,—shall be able to provide herein as may seem to be expedient.

CHAPTER XIII.

In what manner Care must be taken for the Poorer Cathedral and Parish Churches. Parishes to be distinguished by certain Boundaries.

Insomuch as very many cathedral churches have so slight a revenue, and are so small, that they by no means answer to the episcopal dignity, nor suffice for the necessities of the churches; the provincial council, having summoned those whose interests are concerned, shall examine and diligently weigh, what churches it may be expedient, on account of their narrow extent and their poverty, to unite to others in the neighbourhood, or to augment with fresh revenues; and shall send the documents prepared touching the aforesaid to the Sovereign Roman Pontiff; and the Sovereign Pontiff, being thereby informed, shall, of his own prudence, as he may judge to be expedient, either unite together the poor churches, or improve them by some addition derived from the fruits. But in the meantime, until the aforesaid things are carried into effect, provision shall be made by the Sovereign Pontiff for those bishops who, on account of the poverty of their dioceses, need the aid of fruits, out of cer-

tain benefices, provided, however, they be not cures, nor dignities, canonries, prebends, nor monasteries in which regular observance is in force, or which are subject to general chapters, or to certain visitors. In parish churches also, the fruits of which are in like manner so small, that they are insufficient to meet the necessary charges, the bishop, if it cannot be managed by a union of benefices, not however those belonging to regulars, shall take care that, by the assignment of first fruits, or tithes, or by the contributions and collections of the parishioners, or in what other way shall seem to him more convenient, as much be amassed as may decently suffice for the necessities of the rector and of the parish. But in whatsoever unions may have to be made, whether for the aforesaid, or for other causes, parish churches shall not be united to any monasteries soever, or abbeys, or dignities, or prebends of a cathedral or collegiate church, or to any other simple benefices, or hospitals, or military orders; and those so united shall again be taken cognizance of by the ordinaries, according to the decree elsewhere made in this same synod, under Paul III.,[x] of happy memory, which shall also be equally observed in respect to the unions [made] from that time forth to the present; notwithstanding any form soever of words which may have been used therein, which shall be accounted as being sufficiently expressed here. Furthermore, all those cathedral churches, the revenue of which, in real annual value, does not exceed the sum of one thousand ducats, and those parish churches where it does not exceed the sum of one hundred ducats, shall not for the future be burthened with any pensions, or reservations of fruits. In those cities and places, likewise, where the parish churches have no certain boundaries, neither have their rectors their own proper people to govern, but administer the sacraments to all promiscuously who seek it, the holy synod commands bishops, that for the more perfect security of the salvation of the souls committed to their charge, having divided the people into fixed and proper parishes, they shall assign to each its own perpetual and peculiar parish priest, who may know his own parishioners, and from whom alone they may law-

[x] See Sess. vii. de ref. c. 6.

fully receive the sacraments; or they shall make such other provision as may be more profitable, according as the character of the place may require. And they shall also take care that the same be done, as soon as possible, in those cities and places where there are no parish churches; any privileges and customs, even though immemorial, notwithstanding.

CHAPTER XIV.

That no one be admitted to the Possession of a Benefice, or of Distributions, with a Distribution of the Fruits not to be applied to Pious Uses.

In many churches, as well cathedral as collegiate and parochial, it is understood to be the practice, derived either from their own constitutions, or from some evil custom, that upon any election, presentation, nomination, institution, confirmation, collation, or other provision or admission to the possession of any cathedral church, benefice, canonries, or prebends, or to a participation in the revenues, or the daily distributions, there are introduced certain conditions, or deductions from the fruits, payments, promises, or unlawful compensations, as also the profits which are in some churches called Turnorum lucra.[y] Whereas the holy synod detests these practices, it enjoins on bishops, that they suffer not anything of this kind to be done, unless [the proceeds thereof] be turned to pious uses, nor permit any of those modes of entering [on benefices] which carry suspicion of a simoniacal taint, or of sordid avarice; and they themselves shall carefully take cognizance of their constitutions, or customs in the matters above mentioned; and, those only being excepted which they approve of as laudable, the rest they shall reject and abolish as corrupt and scandalous. And it decrees that those, who act in any way contrary to the things comprised in this present decree, are liable to the penalties set forth against simoniacs by the sacred canons, and various constitutions of the Sovereign Pontiffs, all which this synod renews; any statutes, constitutions, customs, even though

[y] These seem to have been certain perquisites attached to the office of the Turnarius, or Hebdomadarius. The word "turnus" was used in a variety of senses, more or less analogous to the English and French cognates. See Du Cange, and Carpenter's Supplement.

immemorial, even though confirmed by the apostolic authority notwithstanding; the bishop, as the delegate of the Apostolic See, shall have power to take cognizance touching any surreption, obreption, or defect of intention, in regard thereof.

CHAPTER XV.

Method of increasing the Slight Prebends of Cathedral and of eminent Collegiate Churches.

In cathedral, and eminent collegiate churches where the prebends are numerous, and so small, that, even with the daily distributions, they are insufficient for the decent maintenance of the rank of the canons, according to the character of the place, and of the persons, it shall be lawful for the bishop, with the consent of the chapter, either to unite thereunto certain simple benefices, not however such as belong to regulars, or, if provision cannot be made in this way, they may reduce those prebends to a less number, by suppressing some of them, with the consent of the patron, if the right of patronage belong to laymen, the fruits and proceeds of which shall be applied to the daily distributions of the remaining prebends; in such wise, however, that such a number shall be left as may conveniently answer for the celebration of divine worship, and for the dignity of the church; any constitutions and privileges soever, or any reservation whether general or special, or any application soever notwithstanding. Nor shall the aforesaid unions or suppressions be set aside or hindered by any manner of provision soever, not even by force of any resignation, or by any other derogations or suspensions soever.

CHAPTER XVI.

What Duty devolves upon the Chapter during the Vacancy of a See.

The chapter, when a see is vacant, in those places where the duty of receiving the fruits devolves upon it, shall appoint one or more faithful and diligent stewards to take care of the ecclesiastical property and revenues, of which they shall afterwards give an account to him to whom it may appertain. It shall also be by all means bound, within eight days after the decease of the bishop, to appoint an official,

or vicar, or to confirm the existing one; who shall at least be a doctor, or a licentiate, of canon law, or otherwise as competent a person as can be found. If the contrary be done, such appointment shall devolve on the metropolitan. And if the church be itself the metropolitan, or exempted, and the chapter shall be, as has before been said, negligent, then the oldest of the suffragans in that metropolitan, and the nearest bishop in that [church] that is exempted, shall have power to appoint a competent steward and vicar. And the bishop, who is promoted to the said vacant church, shall require, from the said steward, vicar, and all other officers and administrators, who during the vacancy of the see, were, by the chapter, or others, appointed in his room, even though they should belong to the chapter itself, an account of those things which concern him, touching their functions, jurisdiction, administration, or of any other their office soever; and shall be able to punish those who have been guilty of delinquency in their office or administration, even though the officials aforesaid, having given in their accounts, may have obtained an absolution or discharge from the chapter, or those deputed thereby. The chapter shall also be bound to render an account to the said bishop of any papers belonging to the church, if any such have come into the possession of the chapter.

CHAPTER XVII.

Limit is set to the conferring or retention of more than One Benefice.

Whereas ecclesiastical order is perverted when one clerk fills the offices of several, it has been holily provided by the sacred canons that no one ought to be enrolled in two churches. But insomuch as many, through the passion of wicked covetousness, deceiving themselves, not God, blush not to elude, by various artifices, those things which have been so excellently ordained, and to hold several benefices at the same time; the holy synod, desiring to restore the discipline required for the government of the church, doth by this present decree, which it commands to be observed in regard of all persons soever, by what title soever they be distinguished, even though it be by the dignity of the cardinalate, ordain, that, for the future, one ecclesiastical benefice

only shall be conferred on one and the same person. If indeed that be not sufficient to afford a decent livelihood to the person on whom it is conferred, it shall then be lawful to bestow on him some other simple benefice that may be sufficient; provided that both do not require personal residence. And this shall hold good not only as touching cathedral churches, but also all other benefices soever, whether secular or regular, even those held *in commendam*, of what title and quality soever they may be. But they who at present hold several parochial churches, or one cathedral and one parochial church, shall be absolutely obliged, all dispensations soever and unions for life notwithstanding, retaining one parochial church only, or the cathedral church alone, to resign the other parochial churches within the space of six months. Otherwise, as well the parish churches, as also all the benefices which they hold, shall be accounted by the very fact void, and as void shall be freely conferred on other competent persons; nor shall they who previously held them be able to retain the fruits thereof, with a safe conscience, after the said time. But the holy synod desires that provision be made in some convenient manner, as may seem fit to the Sovereign Pontiff, for the necessities of those resigning.

CHAPTER XVIII.

Upon a Parish Church becoming vacant, a Vicar is to be deputed thereunto by the Bishop, until it be provided with a Parish Priest. In what Form and by whom those nominated to Parochial Churches ought to be examined.

It is most especially expedient for the salvation of souls, to be governed by worthy and competent parish priests. To the end that this may more diligently and rightly be accomplished, the holy synod ordains, that when a vacancy [occurs] in a parish church, whether by death, or by resignation, even in the Roman Court, or in any other manner soever, though it may be alleged that the charge devolves on the church [itself], or on the bishop, and though it may be administered by one or more priests, and this even in the case of those churches called patrimonial, or receptive, in which the bishop has been accustomed to assign the cure of souls to one or more, all of whom [this synod] commands to be subjected to the examination herein prescribed later, even though the

said parish church happen to be reserved, or appropriated, whether generally or specially, even by force of an indult, or privilege granted in favour of cardinals of the holy Roman Church, or of certain abbots, or chapters; it shall be the duty of the bishop, at once, upon gaining information of the vacancy of the church, to appoint, if need be, a competent vicar to the same, with a suitable assignment, at his own discretion, of a portion of the fruits, that he may support the duties of the said church, until it be provided with a rector. Moreover, the bishop, and he who has the right of patronage, shall, within ten days, or some other term, to be prescribed by the bishop, nominate, in the presence of those to be deputed as examiners, certain clerks as competent to govern the said church. It shall, nevertheless, be free for others also, who may know any that are fit for that office, to give in their names, that a diligent scrutiny may afterwards be made touching the age, morals, and sufficiency of each. And, if it shall seem more expedient to the bishop, or the provincial synod, according to the custom of the country, those who may wish to be examined may be summoned by a public edict. When the time appointed has transpired, all those who have been entered on the list shall be examined by the bishop, or, if he be hindered, by his vicar-general, and by the other examiners, not fewer than three; to whose votes, if they should be equal, or given to distinct parties,[z] the bishop, or his vicar, may add [their casting vote] in favour of whomsoever they shall think most fit. And as regards the examiners, six at least shall be annually proposed by the bishop, or by his vicar, in the diocesan synod; who shall satisfy, and be approved of by the synod. And upon any vacancy happening in any church, the bishop shall choose three out of that number to make the examination with him; and afterwards, upon another vacancy following, he shall select, out of the six aforesaid, either the same, or three others, whom he may prefer. But the said examiners shall be masters, or doctors, or licentiates in theology, or in canon law, or such other clerks, whether regulars, even of the order of mendicants, or even seculars, as shall seem most

[z] Singulares.

competent thereunto; and they shall all swear on the holy Gospels of God, that they will, every human affection set aside, faithfully perform their duty. And they shall beware of receiving anything whatever, either before or after, on account of this examination; otherwise, both themselves and the parties giving [such gratuities] will incur the guilt of simony, from which they shall not be capable of being absolved, until after they have resigned the benefices of which they were possessed in any manner soever, even before; and they shall be rendered incapable of any others for the future. And in regard to all these matters, they shall be bound to render an account, not only before God, but also, if need be, to the provincial synod, by which, at its discretion, if it be ascertained that they have done anything contrary to their duty, they shall be liable to be severely punished. Then, after the examination is completed, report shall be made of all those who shall have been judged, by the said [examiners], competent by age, morals, learning, prudence, and other suitable qualifications, to govern the vacant church. And out of these shall the bishop select him whom he shall judge more competent than the rest; and to him, and to none other, shall the church be collated by him unto whom it belongs to collate thereunto. But if the church be under ecclesiastical patronage, and the institution [thereunto] belong to the bishop, and not to another, he, whom the patron shall judge the most worthy from amongst those approved of by the examiners, shall be presented to the bishop, that he may be instituted by him. But when the institution is to be made by any other than the bishop, then the bishop alone shall choose the worthiest from amongst the worthy, whom the patron shall present to him whom the institution concerns. But if it be under lay patronage, the person who shall be presented by the patron, must be examined, as above, by those deputed, and not be admitted, unless he be found fit. And, in all the above-mentioned cases, to none other but to one of those who have been examined as aforesaid, and have been approved by the examiners, according to the aforesaid rule, shall the care of the church be committed, nor shall any devolution, or appeal, even interposed before the Apostolic See, or the legates, vice-legates, or nuncios of that same see, or before

any bishops, or metropolitans, primates, or patriarchs, hinder or suspend the report of the aforesaid examiners from being carried into execution: for the rest, the vicar whom the bishop has, at his own discretion, already for the time being deputed to the vacant church, or whom he may perhaps afterwards depute thereunto, shall not be removed from the charge and administration of the said church, until it be provided for, either by [the appointment of] the same [vicar], or of another person, who has been approved and elected as above. All provisions or institutions made otherwise than according to the aforesaid form, shall be accounted surreptitious: any exemptions, indults, privileges, preventions, appropriations, new provisions, indults granted to any universities soever, even for a certain sum, and any other impediments soever, in opposition to this decree, notwithstanding.

If, however, the said parish churches should possess so slight a revenue, that it allow not of the trouble of all this examination; or should there be no one who seeks to subject himself to this examination; or if, by reason of the open factions, or dissensions, which are found in some places, more grievous quarrels and tumults may easily be excited; the ordinary, omitting this formality, if, in his conscience, with the advice of the [examiners] deputed, it shall seem to be expedient, may have recourse to a private examination, observing, however, the other things as above. It shall also be lawful for the provincial synod, if it shall account that there are any matters to be added to, or retrenched from, the above regulations touching the form of examination, to provide accordingly.

CHAPTER XIX.

Mandates "de providendo," Expectatives, and other Things of the Like Kind are abrogated.

The holy synod decrees, that mandates "de providendo,"[a] and those graces which are called expectant,[b] shall no more be granted to any one, not even to colleges, universities, senates, or to any individuals soever, even though under the

[a] *I. e.* mandates given by the pope to bishops, recommending the promotion of a certain person to a vacant benefice.

[b] *I. e.* directions to promote a certain person to the first vacant benefice.

name of an indult, or up to a certain sum, or under any other colourable pretext; nor shall it be lawful for any one to make use of such as have been heretofore so granted. In like manner, neither shall any mental reservations,[c] nor any other graces soever in regard of future vacancies in benefices, nor indults [which apply] to churches belonging to others, or to monasteries, be granted to any, not even to cardinals of the holy Roman Church; and those hitherto granted shall be looked upon as abrogated.

CHAPTER XX.

The Manner of conducting Causes appertaining to the Ecclesiastical Court is prescribed.

All causes in any way belonging to the ecclesiastical court, even though they may relate to benefices, shall, in the first instance, be taken cognizance of, before the ordinaries of the places only; and shall be completely terminated within two years at latest from the time that the suit was commenced: otherwise, after that time, it shall be free for the parties, or for either of them, to have recourse to superior, but otherwise competent, judges, who shall take up the cause as it shall then stand, and shall take care that it be terminated as soon as possible; nor, before then, shall [the causes] be committed to any others,[d] nor be transferred therefrom; nor shall any appeals interposed by the same parties be received by any superior [judges] soever; nor shall any commission, or inhibition be issued by them, except upon a definitive, or one that has the force of a definitive sentence, and the grievance arising from which cannot be redressed by an appeal from that definitive [sentence]. From these are to be excepted those causes, which, according to the canonical appointments, are to be tried before the Apostolic See, or those which the Sovereign Roman Pontiff shall, for an urgent and reasonable cause, judge fit to commission, or to avocate, for his own hearing,

[c] When no person was named in the order for promotion to the first vacant benefice, the commissions were called *mental reservations*. See Du Cange, vol. v. p. 1356, who gives a concise history of the whole subject of "reservatio."

[d] *I. e.* than the ordinaries.

by a special rescript under the signature of his Holiness, signed with his own hand. Furthermore, matrimonial and criminal causes shall not be left to the judgment of a dean, archdeacon, or of other inferiors, even when on their course of visitation, but shall be left for the examination and jurisdiction of the bishop only; even though there should at present be a suit pending, in what stage soever of the proceedings it may be, between any bishop, and the dean, or archdeacon, touching the cognizance of this class of causes: and if, in his presence, one of the parties shall truly prove his poverty, he shall not be compelled to plead out of the province, either in the second or third stage of the suit, in any said matrimonial cause, unless the other party be willing to provide for his maintenance, and also for the expenses of the suit. Legates also, even though *de latere*, nuncios, ecclesiastical governors, or others, shall not only not presume, by force of any powers soever, to hinder bishops in the causes aforesaid, or in any wise to forestall or disturb their jurisdiction, but they shall not even proceed against clerks, or other ecclesiastical persons, until the bishop has been first applied to, and has proved negligent. Otherwise their proceedings and ordinances shall be of no avail, and they shall be bound to make satisfaction to the parties for the damages brought upon them. Furthermore, if any individual should appeal in those cases allowed of by law, or lodge a complaint touching any grievance, or otherwise have recourse, as aforesaid, to a judge, on account of two years having elapsed, he shall be bound to transfer, at his own expense, to the judge of appeal, all the acts of the proceedings that have been carried on before the bishop, having, however, previously apprized the said bishop; that so, if anything seem fit to him touching the information pertaining to the suit, he may signify it to the judge of appeal. But if the appellee shall appear, then shall he also be bound to bear his proportion of the costs of the acts transferred, provided that he wish to make use thereof: unless it be the custom of the place to act otherwise, to wit, that this entire burden fall upon the appellant. Moreover, the notary shall be bound to furnish the appellant, upon payment of a suitable fee, with a copy of the proceedings as soon as possible, and within a month at latest. And

should that notary be guilty of fraud in delaying the furnishing such copy, he shall be suspended from the exercise of his office, at the discretion of the ordinary, and be condemned to pay double the costs of the suit, to be divided between the appellant and the poor of the place. But if the judge also should himself be cognizant of, or an accomplice in, this delay, or if he shall in any other way raise obstacles to prevent the entire proceedings being delivered over to the appellant within that term, he shall be subjected to the same penalty of paying double [the costs], as above; notwithstanding, as regards all the aforesaid matters, any privileges, indults, agreements, which only bind the authors thereof, and any other customs soever.

CHAPTER XXI.

It is declared that, by certain Words previously used, the usual Manner of treating Business in General Councils is not changed.

The holy synod, being desirous that no occasion of doubting may, at any future period, arise out of the decrees which it has published, in explanation of the words contained in a decree published in the first session under our most blessed lord Pius IV., to wit, "which, the legates and presidents proposing, shall to the said holy synod appear fitting and proper for alleviating the calamities of these times, settling the controversies touching religion, restraining deceitful tongues, correcting the abuses of depraved morals, and procuring for the church a true and Christian peace," declares that it was not its intention, that, by the aforesaid words, the usual manner of treating matters in general councils should be in any respect changed; or that anything new, besides that which has been heretofore ordained by the sacred canons, or by the form of general councils, should be added to, or taken from, any one.

INDICTION OF THE NEXT SESSION.

Yet further, the same sacred and holy synod ordains and decrees, that the next ensuing session be held on the Thursday after the Conception of the Blessed Virgin Mary, which will be the ninth day of the month of December next, with the power also of abridging that term. In which

session the sixth chapter will be treated of, which is now deferred till then, and the remaining chapters on Reformation, which have been already set forth, and other matters pertaining thereunto. But if it shall seem opportune, and the time will permit, certain dogmas may also be treated of, as in their proper season they shall be proposed in the congregations.

The term of the session was abridged.

SESSION THE TWENTY-FIFTH,

Being the ninth and last under the Sovereign Pontiff Pius IV., begun on the third, and terminated on the fourth, day of December, 1563.

DECREE TOUCHING PURGATORY.

Whereas the Catholic Church, instructed by the Holy Ghost, has, from the sacred writings and the ancient tradition of the fathers, taught, in sacred councils, and very recently in this œcumenical synod,[f] that there is a Purgatory, and that the souls there detained are relieved by the suffrages of the faithful, but chiefly by the acceptable sacrifice of the altar; the holy synod enjoins on bishops that they diligently strive that the sound doctrine touching Purgatory, delivered by the holy fathers and sacred councils, be believed, held, taught, and everywhere proclaimed by the faithful of Christ. But let the more difficult and subtle questions, and those which tend not to edification,[g] and from which for the most part there is no increase of piety, be excluded from popular discourses before the uneducated multitude. In like manner, such things as are uncertain, or which labour under an appearance of error, let them not allow to be made public and treated of. But those things which tend to a certain kind of curiosity or superstition, or which savour of filthy lucre, let them prohibit as scandals and stumbling-blocks of the faithful. And let the bishops take care, that the suffrages of the faithful who are living, to wit, the sacrifices of masses, prayers, almsgivings, and other works of piety, which have been wont to be per-

[f] See Sess. vi. can. 30; Sess. xxii. 2, 3.

[g] See 1 Tim. i. 4.

formed by the faithful for the other faithful departed, be piously and devoutly performed, according to the institutes of the Church; and that what things soever are due on their behalf from the endowments of testators, or in other way, be discharged, not in a negligent manner, but diligently and accurately, by the priests and ministers of the church, and others who are bound to render this service.

TOUCHING THE INVOCATION, VENERATION, AND ON RELICS OF SAINTS, AND SACRED IMAGES.

The holy synod enjoins on all bishops, and others sustaining the office and charge of teaching, that, according to the usage of the Catholic and Apostolic Church, received from the primitive times of the Christian religion, and according to the consent of the holy fathers, and to the decrees of sacred councils, they especially instruct the faithful diligently touching the intercession and invocation of saints; the honour paid to relics; and the lawful use of images: teaching them, that the saints, who reign together with Christ, offer up their own prayers to God for men; that it is good and useful suppliantly to invoke them, and to resort to their prayers, aid, and help, for obtaining benefits from God, through His Son, Jesus Christ our Lord, who alone is our Redeemer and Saviour; but that they think impiously, who deny that the saints, who enjoy eternal happiness in heaven, are to be invoked; or who assert either that they do not pray for men; or, that the invocation of them to pray for each of us even in particular, is idolatry; or, that it is repugnant to the word of God; and is opposed to the honour of the *one mediator between God and men, Christ Jesus;*[h] or, that it is foolish to supplicate, orally, or inwardly, those who reign in heaven. Also, that the holy bodies of holy martyrs, and of others now living with Christ, which were the living members of Christ, and *the temple of the Holy Ghost,*[i] and which are by Him to be raised unto eternal life, and to be glorified, are to be venerated by the faithful; through which [bodies] many benefits are bestowed by God on men; so that they who affirm that veneration and honour are not due to the relics of saints; or, that these, and other sacred monuments, are uselessly honoured by the

[h] 1 Tim. ii. 5. [i] 1 Cor. iii. 16, and vi. 19.

faithful; and that the places dedicated to the memories of the saints are vainly visited for the purpose of obtaining their aid; are wholly to be condemned, as the Church has already long since condemned, and doth now also condemn them.

Moreover, that the images of Christ, of the Virgin Mother of God,[j] and of the other saints, are to be had and retained particularly in temples, and that due honour and veneration are to be awarded them; not that any divinity or virtue is believed to be in them, on account of which they are to be worshipped; or that anything is to be asked of them; or that confidence is to be reposed in images, as was of old done by the Gentiles, who placed their hope in idols;[k] but because the honour which is shown unto them is referred to the prototypes which they represent; in such wise that by the images which we kiss, and before which we uncover the head, and prostrate ourselves, we adore Christ, and venerate the saints, whose similitude they bear. And this, by the decrees of councils, and especially of the second synod of Nicæa, has been ordained against the opponents of images.

And the bishops shall carefully teach this; that, by means of the histories of the mysteries of our Redemption, depicted by paintings or other representations, the people are instructed, and strengthened in remembering, and continually reflecting on the articles of faith; as also that great profit is derived from all sacred images, not only because the people are thereby admonished of the benefits and gifts which have been bestowed upon them by Christ, but also because the miracles of God through the means of the saints, and their salutary examples, are set before the eyes of the faithful; that so for those things they may give God thanks; may order their own life and manners in imitation of the saints; and may be excited to adore and love God, and to cultivate piety. But if any one shall teach or think contrary to these decrees; let him be anathema. And if any abuses have crept in amongst these holy and salutary observances, the holy synod earnestly desires that they be utterly abolished; in such wise that no images conducive to false doctrine, and furnishing occasion of dangerous error to

[j] Deiparæ. [k] See Ps. cxxxiv. 18 (cxxxv. 18).

the uneducated, be set up. And if at times, when it shall be expedient for the unlearned people; it happen that the histories and narratives of holy scripture are portrayed and represented; the people shall be taught, that not thereby is the Divinity represented, as though it could be perceived by the eyes of the body, or be depictured by colours or figures. Moreover, in the invocation of saints, the veneration of relics, and the sacred use of images, every superstition shall be removed, all filthy lucre be abolished, finally, all lasciviousness be avoided; in such wise that figures shall not be painted or adorned with a wantonness of beauty; nor shall men also pervert the celebration of the saints, and the visitation of relics, into revellings and drunkenness; as if festivals are celebrated to the honour of the saints by luxury and wantonness. Finally, let so great care and diligence be used by bishops touching these matters, as that there appear nothing disorderly, or unbecomingly or confusedly arranged, nothing profane, nothing indecorous; *since holiness becometh the house of God.*[1]

And that these things may be the more faithfully observed, the holy synod ordains, that it be lawful for no one to place, or cause to be placed, any unusual image in any place, or church, howsoever exempted, except it shall have been approved of by the bishop: also, that no new miracles are to be admitted, or new relics received, unless the said bishop has taken cognizance and approved thereof; who, as soon as he has obtained some certain information in regard of these matters, shall, after having taken advice with theologians, and other pious men, act therein as he shall judge to be agreeable to truth and piety. But if any doubtful, or difficult abuse is to be extirpated; or, in fine, if any more serious question shall arise touching these matters, the bishop, before he decides the controversy, shall await the sentence of the metropolitan and of the bishops of the same province, in a provincial council; yet so, that nothing new, or that has not previously been usual in the Church, shall be decreed, without the most holy Roman Pontiff having been first consulted.

[1] Ps. xcii. 5 (xciii. 5).

CONCERNING REGULARS AND NUNS.

The same sacred and holy synod, pursuing the subject of Reformation, has thought fit that the things following be ordained.

CHAPTER I.

All Regulars shall order their Lives suitably to what is prescribed by the Rule which they have professed. Superiors shall sedulously take care that this be done.

Insomuch as the holy synod is not ignorant how much splendour and utility accrue to the Church of God from monasteries piously instituted and rightly administered; it has,—to the end that the ancient and regular discipline may be the more easily and promptly restored, where it has fallen away, and may be the more firmly maintained, where it has been preserved,—thought it necessary to enjoin, as by this decree it doth enjoin, that all regulars, as well men as women, shall order and form their lives agreeably to the requirements of the rule which they have professed; and especially, that they shall faithfully observe whatsoever belongs to the perfection of their profession; such as obedience, poverty, and chastity, as also all other vows and precepts that may be peculiar to any rule or order, respectively appertaining to the essential character of each, and which regard the observing a common mode of living, food, and dress. And all care and diligence shall be applied by the superiors, as well in the general and in the provincial chapters, as in their visitations, which they shall not omit to make in their proper seasons, that these things be not departed from; since it is certain that those things which appertain to the substance of a regular life cannot be by them relaxed. For if those things which are the basis and the foundation of all regular discipline be not exactly preserved, the whole edifice must of necessity fall.

CHAPTER II.

Property is wholly prohibited to Regulars.

For no regulars, therefore, whether men or women, shall it be lawful to possess, or hold as his own, or even in the

name of the convent, any property immoveable or moveable, of what quality soever it may be, or in what way soever acquired; but the same shall be straightway delivered up to the superior, and be incorporated with the convent. Nor shall it henceforth be lawful for superiors to allow any real property to any regular, not even by way of having the interest or the use, the administration thereof, or *in commendam*. But the administration of the property of monasteries, or of convents, shall appertain to the officials thereof only, removable at the will of their superiors. The superiors shall permit the use of moveables in such manner as that the furniture of their [monasteries] shall be suitable to the state of poverty which they have professed; and there shall therein be nothing superfluous, but at the same time nothing which is necessary shall be refused them. But if any one should be discovered, or be proved, to possess anything in any other manner, he shall be deprived during two years of his active and passive voice, and also be punished according to the constitutions of his own rule and order.

CHAPTER III.

All Monasteries which are not herein excepted may possess Real Property. The Number of Persons therein is to be determined by the Amount of Income or of Alms. No Monastery to be erected without the Bishop's Permission.

The holy synod permits unto all monasteries and houses, both of men and women, and of mendicants, even those who were forbidden by their constitutions to possess it, or who had not received permission to that effect by apostolic privilege, to possess real property: with the exception, however, of the houses of the brethren of St. Francis [called] Capuchins, and those called Minor Observants. And if any of the aforesaid places, to which it has been granted by apostolic authority to possess such property, have been stripped thereof, it ordains that the same shall be wholly restored unto them. But, in the aforesaid monasteries and houses, as well of men as of women, whether they possess, or do not possess, real property, such a number [of inmates] only shall be fixed upon and retained for the future, as can be conveniently supported either out of the proper

revenues of those monasteries, or out of the customary alms; nor shall any such places be hereafter erected, without the permission of the bishop, in whose diocese they are to be erected, being first obtained.

CHAPTER IV.

A Regular shall not, without the Permission of his Superior, either place himself at the Service of another place or person, or retire from his Monastery. When absent for the Sake of Study, he shall reside in a Monastery.

The holy synod prohibits, that any regular, under the pretext of preaching, or lecturing, or of any other pious work, place himself at the service of any prelate, prince, university, community, or of any other person, or place soever, without the permission of his own superior; nor shall any privilege or faculty, obtained from others in regard hereof at any time avail him. But if any one should act contrary hereunto, he shall be punished as disobedient, at the discretion of his superior. Nor shall it be lawful for regulars to absent themselves from their own convents, even under the pretext of repairing to their own superiors; unless they have been sent, or summoned, by them. And whoever shall be found to be without the aforesaid order in writing, shall be punished as a deserter from his institute by the ordinaries of the places. But they who are sent to the universities for the sake of their studies, shall dwell in convents only; otherwise they shall be proceeded against by the ordinaries.

CHAPTER V.

Provision is made for the Safe Enclosure of Nuns, especially those who dwell without Cities.

The holy synod, renewing the constitution of Boniface VIII., which begins *Periculoso*, enjoins on all bishops, by the judgment of God to which it appeals, and under the threat of eternal malediction, that, by their ordinary authority, in all monasteries subject to them, and in others, by that of the Apostolic See, they take especial care that the enclosure of nuns be carefully restored, wheresoever it has been violated, and that it be preserved, wheresoever it

has not been violated; repressing, by ecclesiastical censures and other penalties, any appeal soever being set aside, the disobedient and gainsayers, and even calling in unto this end, if need be, the aid of the secular arm. The holy synod exhorts Christian princes to furnish this aid, and enjoins it, under pain of excommunication, to be by the very fact incurred, upon all civil magistrates. But for no holy nun, after her profession, shall it be lawful to go out of her convent, even for a brief period, under any pretext soever, except for some lawful cause, to be approved of by the bishop; any indults and privileges soever notwithstanding. And it shall not be lawful for any one, of what birth, or condition, sex, or age soever, to enter within the enclosures of a monastery,[m] without the permission of the bishop, or of the superior, obtained in writing, under the pain of excommunication to be by the very fact incurred. But the bishop, or the superior, ought to grant this permission only in necessary cases; nor shall any other person be able by any means [to grant it], even by force of any faculty, or indult already granted, or hereafter to be granted. And inasmuch as those monasteries of nuns which are established without the walls of a city or town, are exposed, often without any guard, to the plunder and other deeds of wicked men, the bishops and other superiors shall, if it seem expedient to them, take care that the nuns be removed from those places to new or old monasteries within cities or populous towns, even calling in, if need be, the aid of the secular arm. But those who hinder them or disobey, they shall by ecclesiastical censures compel to submit.

CHAPTER VI.

The Manner of choosing Superiors.

To the end that everything may be conducted uprightly and without any fraud, in the election of all manner soever of superiors, temporary abbots, and other officials, and generals, and abbesses, and other women set over [others],

[m] It is well to observe that in the decrees of the Council of Trent the popular distinction between a convent and a monastery is not preserved, both terms being indiscriminately applied to any place of religious retirement for either sex.

the holy synod above all things strictly enjoins, that all the aforesaid ought to be chosen by secret voting, in such wise as that the names of the respective voters shall never be made known. Neither shall it, for the future, be lawful to constitute provincials, or abbots, priors, or any other titularies soever, for the purposes of an election that is to take place; nor to supply the place of the voices and suffrages of those absent. But if any one should be elected contrary to the constitution of this decree, such election shall be invalid; and he who shall have allowed himself, for this purpose, to be created provincial, abbot, or prior, shall from that time forth be incapable of holding any offices soever in that order; and any faculties that have been granted in these matters shall be looked upon as hereby abrogated; and should any others hereafter be granted, they shall be accounted as surreptitious.

CHAPTER VII.

What Persons and in what manner Persons are to be chosen Abbesses, or Governesses,[n] *by what Name soever. No one shall be set over two Nunneries.*

No woman shall be elected abbess, or prioress, or by what other name soever she who is appointed and placed over [others] may be called, who is less than forty years of age, and who has not passed eight of those years in a praiseworthy manner, after having declared her profession. But should no one be found in the same monastery with these qualifications, one may be elected out of another monastery of the same order. But if this also shall seem inconvenient to the superior who presides over the election, with the consent of the bishop, or other superior, there may be one chosen from amongst those, in the same convent, who have exceeded their thirtieth year, and who have, since their profession, passed at least five of those years in an upright manner. But no female shall be set over two convents; and if any one is, in any way, in possession of two or more, she shall, retaining one, be constrained to resign the rest within six months: but after that period, if she have not resigned, they shall be all by the very fact vacant. And he

[n] Præfectæ.

who presides at the election, whether it be the bishop, or other superior, shall not enter the enclosures of the monastery, but shall listen to, or receive the votes of each, at the little window in the gates.[o] In other matters, the constitution of the respective orders, or convents, shall be observed.

CHAPTER VIII.

In what manner the Regulation of Monasteries which have not Ordinary Regular Visitors is to be instituted.

All monasteries which are not subject to general chapters, or to bishops, and which have not their own ordinary regular visitors, but have been accustomed to be governed under the immediate protection and direction of the Apostolic See, shall be bound, within a year from the end of the present council, and thenceforth every third year, to form themselves into congregations, according to the form of the constitution of Innocent III., in a general council, which begins *In singulis;* and shall there depute certain regulars to deliberate and ordain touching the manner and order of establishing the aforesaid congregations, and the statutes therein to be observed. But should they be negligent in these matters, it shall be lawful for the metropolitan, in whose province are the aforesaid monasteries, to convoke them for the aforesaid purposes, as the delegate of the Apostolic See. But if, within the limits of one province, there be not a sufficient number of such monasteries for the establishing of a congregation, the monasteries of two or three provinces may form one congregation. And when the said congregations have been established, their general chapters, and the presidents or visitors elected by them, shall have the same authority over the monasteries of their own congregation, and over the regulars dwelling therein, as other presidents and visitors have in other orders; and they shall be bound to visit frequently the monasteries of their own congregation, and to apply themselves to the reformation thereof; and to observe what things soever have been decreed in the sacred canons, and in this sacred council. Also, if, at the instance of the metropolitan, they

[o] Ante cancellorum fenestellam.

shall not take care to execute the above, they shall be subjected to the bishops, in whose dioceses the aforesaid places are situated, as the delegates of the Apostolic See.

CHAPTER IX.

Monasteries of Nuns immediately subject to the Apostolic See shall be governed by the Bishops; but others, by those deputed in the General Chapters, or by other Regulars.

Those monasteries of nuns which are immediately subject to the Apostolic See, even those which are denominated under the name of chapters of St. Peter, or of St. John, or by what other name soever, shall be governed by the bishops, as delegates of the Apostolic See; any matters soever notwithstanding. But those which are governed by persons deputed in general chapters, or by other regulars, shall be left under their care and charge.

CHAPTER X.

Nuns shall confess and communicate once a month. The Bishop shall provide them with an Extraordinary Confessor. The Eucharist shall not be reserved for them out of the public Church.

Bishops and other superiors of monasteries of holy nuns, shall attend diligently that the nuns be admonished, in their constitutions, to make a confession of their sins, and to receive the most holy Eucharist, at least once a month, that so they may fortify themselves, by that salutary defence, bravely to overcome all the assaults of the devil. But besides the ordinary confessor, another extraordinary one shall, twice or thrice a year, be offered to them by the bishop and other superiors, whose duty it shall be to hear the confessions of all [the nuns]. But the holy synod forbids that the most holy body of Christ be kept within the choir, or the enclosures of the convent, and not in the public church; any privilege or indult soever notwithstanding.

CHAPTER XI.

In Monasteries upon which the Cure of Souls is charged of Laymen, besides those who are of their own household, the Bishop shall, with certain exceptions, examine those Women[p] *who are to be set over the said Cure.*

In monasteries, or houses whether of men, or of women, upon which is charged the cure of souls of other secular persons besides those who are of the household of those monasteries, or places; the persons, whether regulars or seculars, who exercise that cure, shall be immediately subject, in whatsoever appertains to the said cure and the administration of the sacraments, to the jurisdiction, visitation, and correction of the bishop in whose diocese [those monasteries] are situated; nor shall any, not even such as are removable at will, be deputed thereunto, save with the consent of the said [bishop], and after a previous examination being made by him, or by his vicar; the monastery of Cluny with its limits being excepted; and also those monasteries, or places, in which abbots, generals, or the heads of orders have their usual principal residence; as also the other monasteries, or houses, in which the abbots, or other superiors of regulars, exercise episcopal and temporary jurisdiction over the parish priests and their parishioners; saving, however, the right of those bishops who exercise a greater jurisdiction over the aforesaid places or persons.

CHAPTER XII.

Regulars, as well as Seculars, shall be equally bound[q] *to the observance of Episcopal Censures and Festivals.*

Censures and interdicts, not only those emanating from the Apostolic See, but also those promulgated by the ordinaries, shall, upon the bishop's mandate, be published and observed by regulars in their churches. The festival days also which the said bishop shall enjoin to be observed in his own diocese, shall be kept by all exempted persons, even regulars.

[p] Præficiendas.

[q] Conformentur in observatione.

CHAPTER XIII.

The Bishop shall settle Disputes concerning Precedence. Exempted Persons, not living in the more Strict Enclosures, are obliged to attend at Public Processions.

All disputes concerning precedence, which very often, with the greatest scandal, arise between ecclesiastics, both secular and regular, as well at public processions, as at those which take place in burying the bodies of the dead, or carrying the canopy,[r] and on other similar occasions, the bishop shall settle, all appeal being set aside, and any circumstances notwithstanding. And all exempted persons soever, as well secular as regular clerks, and even monks, on being summoned to public processions, shall be obliged to attend; those only being excepted who live perpetually in more strict enclosure.

CHAPTER XIV.

By whom Punishment is to be inflicted on a Regular who offends publicly.

A regular who, not being subject to the bishop, resides within the enclosures of a monastery, and has, without that enclosure, transgressed so notoriously as to be a scandal to the people, shall, at the instance of the bishop, be severely punished by his own superior, within a time to be appointed by the bishop; and [the superior] shall inform the bishop concerning such punishment. If not, he shall himself be deprived of his office by his own superior, and the delinquent may be punished by the bishop.

CHAPTER XV.

Profession shall not be made except after the Elapse of a Year's Probation, and at the Age of Sixteen Years completed.

In no religious body[s] soever, shall the profession, whether of men or women, be made before the sixteenth year is completed; nor shall any one be admitted to the profession, who has been less than a year under probation since taking the habit. And any profession made earlier shall be null; and shall not bring with it any obligation to the observance

[r] Umbella. Cf. Du Cange, Gloss. t. vi. p. 1669. [s] Religione.

of any rule, or of any religious body, or order; or entail any other effects soever.

CHAPTER XVI.

A Renunciation or Obligation made previous to the Two Months nearest to the Profession shall be null. The Probation being ended, the Novices shall either be professed or dismissed. In the Pious Institute of Clerks of the Society of Jesus nothing is innovated. A caveat is inserted, to the effect that no part of the Property of a Novice shall be given to a Monastery before Profession.

Moreover, no renunciation, or obligation made earlier, even though upon oath, or in favour of any pious object soever, shall have force, unless it be made with the permission of the bishop, or of his vicar, within the two months immediately preceding profession; and it shall not otherwise be understood to obtain its effect, unless the profession have followed thereupon: but if made in any other manner, even though with the express renunciation of this privilege, even upon oath, it shall be invalid and of no effect. When the period of the noviciate is ended, the superiors shall admit those novices, whom they have found qualified, to profession; or they shall dismiss them from the monastery. By these things, however, the holy synod does not intend to make any innovation, or to prohibit, but that the religious order of clerks of the Society of Jesus be able to serve God and His Church, according to their pious institute, approved by the holy Apostolic See. And, furthermore, before the profession of a novice, whether male or female, nothing shall be given to the monastery out of the property of the same, either by parents, or relatives, or guardians, under any pretext soever, except for food and clothing, for the time in which they are under probation; lest [the said novice] be unable to leave on this account, that the monastery is in possession of the whole, or of the greater part of his substance; and he be not easily able to recover it, if he should leave. Yea rather the holy synod enjoins, under the pain of anathema on the givers and receivers, that this be by no means done; and that, to [illegible]ho leave before their profession, all things that were [illegible] restored to them. And [illegible] even by ecclesiastical

CHAPTER XVII.

A Girl more than Twelve Years of Age who wishes to take the Regular Habit shall be examined by the Ordinary and again before Profession.

The holy synod, considering the freedom of the profession on the part of virgins to be dedicated to God, ordains and decrees, that if a girl who desires to take the religious habit, be more than twelve years of age, she shall not take that habit, neither shall she herself, nor any other, at a later period, make her profession, until the bishop, or, if he be absent or hindered, his vicar, or some one deputed thereunto by them, and at their expense, has diligently examined into the inclination of the virgin, whether she has been constrained or seduced thereunto, or knows what she is doing; and if her will be found pious and free, and she have the qualifications required by the rule of that monastery and order; and if also the monastery be a suitable one; it shall be free for her to make her profession. And lest the bishop be in ignorance as to the time of the said profession, the governess of the monastery shall be bound to give him notice thereof a month beforehand. And if the governess do not inform the bishop thereof, she shall be suspended from her office, for as long a time as shall seem fit to the bishop.

CHAPTER XVIII.

No one, except in the Cases expressed by Law, shall compel a Woman to enter a Monastery; or prevent her, if desirous to enter. The Constitutions of the Penitents or Convertites, shall be preserved.

The holy synod subjects to anathema all and each those persons, of what quality or condition soever they may be, whether clerks or laymen, seculars or regulars, or sustaining what dignity soever, who shall, in any way soever, force any virgin, or widow, or any other woman soever, except in the cases laid down in law, to enter a monastery against her will, or to assume the habit of any religious order, or to declare her profession; as also all those who shall lend their counsel, aid, or favour thereunto; and those also who, knowing that she does not voluntarily enter into the monastery, or take the habit, or declare her profession, shall, in any way, interfere in that act, either by their presence, or

consent, or authority. It also subjects to a like anathema those who shall, in any way, without a just cause, hinder the holy wish of virgins, or other women, to take the veil, or declare their vows. And all and each of those things which ought to be done before profession, or at the profession itself, shall be observed not only in monasteries subject to the bishop, but also in all others soever. From these [rules], however, are excepted those women who are called penitents, or convertites; in regard to whom their constitutions shall be observed.

CHAPTER XIX.

How to proceed in Cases of those who [wish to] give way from a Religious Body.

Whatsoever regular shall pretend that he entered into a religious order through violence and intimidation; or shall even allege that he made profession before the fitting age; or any such [pretext]; and would wish to lay aside his habit, be the cause what it may; or would even withdraw with his habit without the permission of his superiors; shall be listened to, unless it be within five years only from the day of his profession, and not then either, unless he have produced before his own superior, and the ordinary, the reasons which he pretends. But if, before [doing so], he has of his own accord laid aside his habit; he shall in no wise be admitted to allege any cause soever; but shall be compelled to return to his monastery, and be punished as an apostate; and meanwhile shall not have the benefit of any privilege of his order. Also, no regular shall, by force of any faculty soever, be transferred to a less rigid order; nor shall permission be granted to any regular to wear secretly the habit of his order.

CHAPTER XX.

Superiors of Orders not subject to Bishops shall visit and correct inferior Monasteries, even though held in commendam.

Abbots, who are heads of orders, and the other superiors of the aforesaid orders, who are not subject to bishops, but possess a lawful jurisdiction over other inferior monasteries, or priories, shall, each in his own place and order, offici-

ally visit the said monasteries and priories subject to them, even though they be held *in commendam*. Which, seeing they are subject to the heads of their own orders, the holy synod declares that they are not included in what has been elsewhere decreed touching the visitation of monasteries held *in commendam;* and those who preside over monasteries of the aforesaid orders shall be bound to receive the aforesaid visitors, and to execute their orders. Also, those monasteries themselves which are the heads of orders, shall be visited according to the constitutions of the holy Apostolic See, and of each respective order. And so long as such commendatory [monasteries] shall continue, there shall be appointed, by the general chapters, or by the visitors of the said orders, priors claustral, or superiors in those priories that have a convent, who may exercise spiritual authority and correction. In all other matters the privileges and faculties of the aforesaid orders, which concern the persons, places, and rights thereof, shall be firm and inviolate.

CHAPTER XXI.

Monasteries shall be conferred upon Regulars. The Headships of Religious Bodies shall be commended to no one in posterum.

Whereas very many monasteries, even abbeys, priories, and provostries, have suffered no light injuries, both in spiritual and temporal matters, through the mal-administration of those to whom they have been intrusted, the holy synod desires by every means to restore them to a discipline befitting a monastic life. But so hard and difficult is the present state of the times, that a remedy can neither be applied forthwith to all, nor common to all places, as it would desire. Nevertheless, that it may not omit anything by which wholesome provision may in time be made against the evils aforesaid, it trusts in the first place, that the most holy Roman Pontiff will, of his piety and prudence, take care, as far as he sees that the times will permit, that over those monasteries which are at present held *in commendam*, and which possess their own convents, there be appointed regulars, expressly professed of the same order, who are able to guide and govern the flock. And as to such as shall

hereafter become vacant, they shall be conferred solely on regulars of ascertained virtue and holiness. But as regards those monasteries which are the heads and chiefs of orders, whether the filiations of their heads be called abbeys or priories,[t] those who at present hold them *in commendam* shall be bound, unless provision be made for a regular successor thereunto, either to make, within six months, a solemn profession of the religious life peculiar to the said orders, or to resign them; otherwise the aforesaid places held *in commendam* shall be accounted by the very fact vacant. But, lest any fraud may be used as regards all and each of the aforesaid matters, the holy synod commands, that in the appointments to the said monasteries, the quality of each individual be specifically expressed; and any appointment made otherwise shall be accounted surreptitious, and shall not be rendered valid by any subsequent possession, even though for the term of three years.

CHAPTER XXII.

The Decrees touching the Reformation of Regulars shall be carried into execution without delay.

The holy synod enjoins, that all and each of the matters contained in the above decrees be observed in all convents and monasteries, colleges and houses of all monks and regulars soever, as also of all religious virgins and widows soever, even though they live under the conduct of the military orders, of the order even [of St. John] of Jerusalem, and by what name soever they may be designated, under what rule or constitutions soever they may be, or under the charge or government of, or in subjection to, connection with, or dependence on, any order soever, whether of mendicants or not mendicants, or of other regular monks, or canons of what kind soever: any privileges soever of all and each of the above named, under what form of words soever expressed, even those called *mare magnum*, even those obtained at their foundation, as also any constitutions and rules soever, even though sworn to, and also any customs or prescriptions soever, even though immemorial, notwith-

[t] Sive abbatiæ sive prioratus filiæ illorum capitum nuncupantur.

standing. But, if there be any regulars, whether men or women, who are living under stricter rule or statutes, the holy synod does not intend to remove them from their institute and observance, except as touching the power of possessing real property in common. And insomuch as the holy synod desires that all and each of the things aforesaid be put in execution as soon as possible, it enjoins on all bishops that, in the monasteries subject to them, and in all the rest especially committed to them in the former decrees; and on all abbots, and generals, and other superiors of the aforesaid orders; that they forthwith put in execution the matters aforesaid. And if there be anything which is not carried into execution, the provincial councils shall remedy and punish the negligence of the bishops; and that of regulars, their provincial and general chapters; and, in default of general chapters, the provincial councils shall, by the deputing of certain persons of the same order, provide herein.

The holy synod also exhorts all kings, princes, republics, and magistrates, and by virtue of holy obedience enjoins them, that they vouchsafe to interpose, as often as they shall be requested, their help and authority in support of the aforesaid bishops, abbots, generals, and other superiors in the execution of the matters of reformation comprised above, that so they may, without any hindrance, rightly execute the preceding matters unto the praise of Almighty God.

DECREE CONCERNING REFORMATION.

CHAPTER I.

Cardinals and all Prelates of the Churches shall have a Modest Household and Table. They shall not enrich their Relatives or Domestics out of the Property of the Church.

It is to be wished, that those who undertake the office of a bishop should understand what is their portion; and comprehend that they are called, not unto their own convenience, not to riches or luxury, but to labours and cares for the glory of God. For it is not to be doubted, that the rest of the faithful also will be more easily excited to religion and innocence, if they shall see those set over them not fix-

ing their thoughts on the things of this world, but on the salvation of souls, and on their heavenly country.[u] Whereas the holy synod, perceiving that these things are of chiefest importance towards restoring ecclesiastical discipline, admonishes all bishops, that, often meditating within themselves thereon, they show themselves conformable to their office, by their actual deeds, and the actions of their lives; which is, as it were, a kind of perpetual sermon; but, above all, that they so order their whole manners, as that others may from them be able to derive examples of frugality, modesty, continency, and of that holy humility which so much recommends us to God. Wherefore, after the example of our fathers in the Council of Carthage, it not only orders that bishops be content with modest furniture, and a frugal table and diet, but that they also give heed that in the rest of their manner of life, and in their whole house, there appear nothing that is alien from this holy institution, and which does not manifest simplicity, zeal towards God, and entire contempt of vanities. Also, it forbids them to strive to enrich their own kindred or domestics out of the revenues of the church; seeing that even the canons of the Apostles[v] hinder them from giving to their kindred the property of the Church, which belongs to God; but if [their kindred] be poor, let them distribute to them thereof as to poor, but not misapply or waste it for their sakes. Yea, the holy synod, with all earnestness, admonishes them that they completely lay aside all this human and carnal affection towards brothers, nephews, and kindred, which is the seed-plot of many evils against the Church. And what things have been said concerning bishops, the same are not only to be observed by all who hold ecclesiastical benefices, whether secular or regular, each according to the condition of his rank, but [the synod] decrees that it also appertains to the cardinals of the holy Roman Church; for whereas the administration of the universal Church depends upon their advice to the most holy Roman Pontiff, it would seem to be shameful, if they did not at the same time shine so pre-eminently in virtue and in the discipline of their lives, as deservedly to turn unto themselves the eyes of all men.

[u] See Heb. xi. 16.

[v] See Can. Ap. 39.

CHAPTER II.

By whom specifically the Decrees of the Council are to be solemnly received and taught.

The calamitousness of the times, and the malignity of the increasing heresies, constrain, that nothing be omitted which may seem in anywise capable of appertaining to the edification of the people, and to the defence of the Catholic faith. Wherefore the holy synod enjoins on patriarchs, primates, archbishops, bishops, and all others who, of right or custom, ought to be present at the provincial council, that, in the very first provincial synod to be held after the close of this council, they publicly receive all and each of the things that have been defined and ordained by this holy synod; as also that they promise and profess true obedience to the Sovereign Roman Pontiff; and at the same time publicly express their detestation of and anathematize all the heresies which have been condemned by the sacred canons and general councils, and especially by this same synod. And henceforth all those who shall be promoted to be patriarchs, primates, archbishops, and bishops, shall by all means observe the same in the first provincial synod at which they shall themselves be present. And should any one of all the aforesaid refuse, which far be it! the bishops of the same province shall be bound, under pain of the divine indignation, at once to give notice thereof to the Sovereign Roman Pontiff, and shall meanwhile abstain from communion with the said person. And all others who hold, either now or in future, ecclesiastical benefices, and who are bound to be present at the diocesan synod, shall do and observe the same, as above [stated], in the synod that shall be held on the very first occasion, otherwise they shall be punished according to the form of the sacred canons. Moreover, all those to whom appertain the charge, visitation, and reformation of universities and of [places of] general studies, shall diligently take care that the canons and decrees of this holy synod be, by the said universities, entirely received; and that, according to their rule, the masters, doctors, and others, in the said universities, teach and interpret those things which are of the Catholic faith, in conformity therewith; and that at the beginning of each year they bind themselves

by solemn oath to this institution. And also if there be any other things that need correction and reformation in the universities aforesaid, they shall be amended and ordained by those whom it regards, for the advancement of religion and of ecclesiastical discipline. But those universities which are immediately subject to the protection and visitation of the Sovereign Pontiff, his Blessedness shall take care that they be, by his delegates, wholesomely visited and reformed in the manner aforesaid, and as shall seem to him most advantageous.

CHAPTER III.

The Sword of Excommunication is not to be rashly used. When an Execution can be made on Property or Person, Censures are to be abstained from. It shall be a Crime for the Civil Magistrates to interfere therein.

Although the sword of excommunication is the very sinews of ecclesiastical discipline, and very salutary for keeping the people in their duty, yet is it to be used with sobriety and great circumspection; seeing that experience teaches, that if it be rashly or for slight causes wielded, it is more despised than feared, and produces destruction rather than safety. Wherefore, those excommunications which, after certain admonitions previously made, are wont to be issued with the view, as it is termed, of causing a revelation, or on account of things lost or stolen, shall be issued by no one soever but the bishop; and not then, otherwise than on account of some circumstance of no common kind, and a cause which, having been diligently and very maturely weighed by the bishop, moves his mind. Nor shall he be induced to grant the said excommunications by the authority of any secular person soever, even though a magistrate; but the whole shall be left to his own discretion and conscience, when, considering the circumstances, place, person, or time, he shall himself judge that such are to be resolved on. But as regards judicial causes, it is enjoined on all ecclesiastical judges, of what dignity soever they may be, that, both during proceeding, and in giving judgment, they abstain from ecclesiastical censures, or interdict, whensoever an execution on the person or property can, in each stage of the process, be effected by them of their own proper authority; but in civil causes, which in any way appertain to the ecclesiastical

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court, it shall be lawful for them, if it shall seem to be expedient, to proceed against all persons soever, even laymen, and to terminate suits, by means of pecuniary fines, which, by the very fact of being levied, shall be assigned to the pious places there existing; or by distress upon the property, or seizure of the person, to be made either by their own or other officers; or even by deprivation of benefices, and other remedies at law. But if the execution cannot be made in this manner, either upon the person or property of the guilty, and there be contumacy towards the judge, he may then, in addition to the other penalties, smite them also with the sword of anathema, at his own discretion. In like manner, in criminal causes, where an execution can, as above, be effected upon the person or property, [the judge] shall abstain from censures. But if there cannot easily be opportunity for that execution, it shall be lawful for the judge to employ the said spiritual sword against delinquents; provided, however, the quality of the offence so require, and after two monitions at least; and even this by public edict. And it shall be a crime for any secular magistrate to prohibit an ecclesiastical judge from excommunicating any one; or to command that he revoke an excommunication issued; under pretext that the things contained in the present decree have not been observed; whereas, the cognizance hereof does not appertain to seculars, but to ecclesiastics. And every excommunicated person soever, who, after the lawful monitions, does not change his mind, shall not only not be received to the sacraments, and to communion and intercourse with the faithful; but if, being bound with censures, he shall, with obdurate heart, remain for a year in the defilement[w] thereof, he may even be proceeded against as suspected of heresy.

CHAPTER IV.

Where the Number of Masses to be celebrated is excessive, Bishops, Abbots, and Generals of Religious Orders shall ordain what shall seem to them expedient.

It often happens, in certain churches, either that so great a number of masses is required to be celebrated on account of various legacies from persons deceased, that it is not pos-

[w] Insorduerit.

sible to give satisfaction thereto on the particular days prescribed by the testators; or, that such alms left for the celebration thereof, is so slight that it is not easy to find any one willing to subject himself to the duty; whereby the pious intentions of the testators are frustrated, and occasion is given for burthening the consciences of those whom the aforesaid obligations concern. The holy synod, desiring that these legacies for pious uses be satisfied in the most complete and useful manner possible, gives power to bishops in diocesan synod, and likewise to abbots and generals of orders, that, in their general chapters, they shall ordain, in regard hereof, whatsoever in their consciences they shall, upon a diligent examination of the circumstance, ascertain to be most expedient for God's honour and worship, and the good of the churches, in those churches aforesaid which they shall find to stand in need of such provision; in such wise, however, that a commemoration be always made of the departed who, for the welfare of their souls, have left the said legacies for pious uses.

CHAPTER V.

No Alteration shall be made in the Conditions and Obligations imposed on Benefices rightly established.

Reason demands, that, from those matters which have been well established, no alteration be made by any ordinances to the contrary. Whenever, therefore, by virtue of the erection or foundation of any benefices, or in consequence of other regulations, certain qualifications are required, or certain obligations attached thereunto, they shall not be derogated from in the collation, or in any other arrangement soever in regard of the said benefices. The same also shall be observed as regards prebends assigned to professors of theology, masters, doctors, priests, deacons, or subdeacons, whenever such prebends have been so established, in such sort that, in no provision whatever shall anything be altered in regard of such qualifications and orders; and any provision made otherwise shall be accounted surreptitious.

CHAPTER VI.

How the Bishop ought to act in regard to the Visitation of Exempted Chapters.

The holy synod ordains that the decree, made under Paul III., of happy memory, beginning *Capitula Cathedralium*, shall be observed in all cathedral and collegiate churches, not only when the bishop makes his visitation, but also as often as he proceeds, according to the duties of his office, or at the petition of another, against any one of those comprised in the said decree; yet so, however, that whenever he institutes proceedings out of visitation, all the particulars here subjoined shall have place: to wit, that the chapter shall, at the beginning of each year, select two persons belonging to the chapter, with whose counsel and consent the bishop, or his vicar, shall be bound to proceed, both in instituting the process, and in all the other acts thereof, until the end of the cause inclusively, in the presence, however, of the notary of the said bishop, and in his (the bishop's) house, or his ordinary court. The two deputies shall, however, have but one vote; and either of them may give his vote in accordance with [that of] the bishop. But if, in any proceeding, or in any interlocutory or definitive sentence, they shall both differ from the bishop, they shall in such case, within the term of six days, choose, in conjunction with the bishop, a third person; and should they also differ respecting the election of that third person, the choice shall devolve upon the nearest bishop; and the point whereon they differed shall be decided, according to the opinion with which that third person agrees; otherwise, the proceedings, and what follows thereupon, shall be null, and shall have no effect in law. Nevertheless, in crimes arising from incontinency, whereof mention has been made in the decree concerning concubinaries, as also in the more heinous crimes which require deposition or degradation; where there is apprehension of flight, and where, that judgment may not be eluded, it is necessary to detain the person, the bishop may at first proceed singly to a summary information, and to the necessary detention [of the person]; observing, however, in the rest of the proceedings, the order above laid down. But in all cases regard is to be had to this, that the

delinquents be kept in custody in a suitable place, according to the quality of the crime and of the persons. Moreover, there shall everywhere be rendered to bishops that honour which is due to their dignity; and in choir, in the chapter, in processions, and other public transactions, they shall have the first seat, and the place which they themselves shall make choice of, and theirs shall be the chief authority in everything to be done. And if they shall propose anything to the canons to be deliberated on, and the matter treated of be not one which concerns any benefit to them or theirs, they shall themselves convoke the chapter, demand the votes, and decide according to them. But, in the absence of the bishop, this shall be entirely done by those of the chapter, to whom of right or custom it appertains, nor shall the bishop's vicar be permitted to do it. But in all other things, the jurisdiction and power of the chapter, if any belong thereunto, and the administration of their property, shall be left wholly sound and untouched. But those who do not possess any dignities, and are not of the chapter, they shall all be subject to the bishop in ecclesiastical causes; notwithstanding, as regards the things aforesaid, any privileges accruing even from any foundation; as also any customs, even though immemorial; any sentences, oaths, concordates, which only bind the authors thereof; saving, however, in all things, those privileges which have been granted to universities for general studies, or to the members thereof. But all and each of these things shall not have effect in those churches in which the bishops, or their vicars, by force of constitutions, or privileges, or customs, or concordates, or by any other right soever, have a power, authority, and jurisdiction greater than what is included in the present decree. From the which [powers] this holy synod does not intend to derogate.

CHAPTER VII.

The Access and Regress in regard to Benefices are abolished. In what Manner, to whom, and for what Cause, a Coadjutor is to be granted.

Whereas, as regards ecclesiastical benefices, those matters which carry with them the appearance of hereditary succession are odious to the sacred constitutions, and contrary to

the decrees of the fathers; no *Access* or *Regress*,[x] in regard to any ecclesiastical benefice, of what quality soever, shall, even though by consent, be henceforth granted to any one; nor shall those heretofore granted be suspended, extended, or transferred. And this decree shall have place in regard to all ecclesiastical benefices soever, and as regards all manner of persons soever, even though distinguished with the honour of the cardinalate. In like manner, as regards coadjutorships with future succession, the same shall hereafter be observed; [to wit], that they shall not be permitted to any one in regard of any ecclesiastical benefices soever. But if at any time the urgent necessity, or the evident advantage of a cathedral church, or of a monastery, demands that a coadjutor be granted to a prelate, such coadjutor, with [the right of] future succession, shall not otherwise be granted but after the said cause has first been diligently taken cognizance of by the most holy Roman Pontiff; and it is certain, that all those qualifications are united in him, which, by law, and by the decrees of this holy synod, are required in bishops and prelates. Otherwise, the concessions made touching these matters, shall be accounted surreptitious.

CHAPTER VIII.

The Duty of the Administrators of Hospitals. By whom, and in what Manner, their Negligence is to be punished.

The holy synod admonishes all persons soever who hold any ecclesiastical benefices, whether secular or regular, that they accustom themselves, as far as their revenues will permit, to exercise promptly and kindly the office of hospitality, frequently commended by the holy fathers; being mindful that those who love hospitality receive Christ in the person of their guests.[y] But as regards those who hold *in commendam*, or by way of administration, or under any other title soever, or even have united to their own

[x] For a complete account of these words in their ecclesiastical application, I must refer the reader to Du Cange, but more especially to the "Dictionnaire de Droit Canonique" of Durande and Mabillon.

[y] See Matt. xxv. 35, sqq.

churches the places commonly called hospitals, or other pious places instituted especially for the use of pilgrims, of the infirm, the aged, or the poor; or, if the parish churches should chance to be united to hospitals, or have been converted into hospitals, and have been granted to the patrons thereof to be administered, the synod by all means enjoins, that they administer the charge and office imposed upon them, and that they actually exercise that hospitality, which is due at their hands, out of the fruits set apart for that purpose, according to the constitution of the Council of Vienne, renewed elsewhere[z] by the same holy synod under Paul III., of happy memory, which begins, *Quia contingit.* But if these hospitals were instituted to receive a certain class of pilgrims, or of infirm persons, or of others; and in the place where the said hospitals are situated, there be no such persons, or very few to be found, it doth moreover command, that the fruits thereof be converted to some other pious use, that may be nearest to their original destination, and the most useful for that time and place, as shall seem to be most expedient to the ordinary, aided by such two of the chapter as may be experienced in matters of business, to be chosen by him; unless it happen that the contrary be expressed, even with reference to this event, in the foundation, or institution thereof; in which case, the bishop shall take care that what was ordained be observed, or, if that be not possible, he shall, as above, provide for the matter in a useful manner. Wherefore, if all and each of the aforesaid persons, of what order soever, and religious body and dignity they may be, even if they be laymen, who have the administration of hospitals, provided, however, they be not subject to regulars where regular observance is in force, shall, after having been admonished by the ordinary, have ceased really to discharge the duty of hospitality, applying all the necessary conditions to which they are bound, they may be compelled thereunto not only by ecclesiastical censures, and other legal remedies, but may also even be deprived for ever of the administration and care of the hospital itself; and others shall be substituted in their place, by those whom this may regard. And the persons

[z] See Sess. vii. de ref. c. 15.

aforesaid shall, nevertheless, be bound, in the court of conscience, to the restitution of the fruits which they have received contrary to the institution of the said hospitals; which [restitution] shall not be pardoned them by any remission or composition: nor shall the administration or government of such places be henceforth intrusted to one and the same person longer than for three years, unless it be found to be otherwise provided in the foundation thereof; notwithstanding, as regards all the above-stated matters, any union, exemption, and custom, even from time immemorial, to the contrary, or any privileges or indults soever.

CHAPTER IX.

In what manner Right of Patronage is to be proved, and to whom granted. Forbidden Accessories.

Even as it is not just to abolish the legitimate rights of patronage, and to violate the pious intentions of the faithful in the institution thereof, so also neither is it to be permitted, that, under this pretence, ecclesiastical benefices be reduced to a state of servitude, as is impudently done by many. To the end, therefore, that fitting reason may be observed in all things, the holy synod decrees, that the title to the right of patronage shall be [derived] from a foundation or endowment; which [title] shall be shown from an authentic document, and the other [proofs] required by law; or, also, by repeated presentations during a course of time of such ancient date that it exceeds the memory of man; or, otherwise, according to the directions of the law. But as regards those persons, or communities, or universities, by which that right is for the most part presumed to have been arrived at rather by usurpation, a fuller and more exact proof shall be required to show a true title; nor shall the proof derived from time immemorial be otherwise of avail in their regard, unless, besides other things necessary for that proof, presentations, even continuous, during the space of at least not less than fifty years, all of which presentations have been carried into effect, shall be proved from authentic writings. All other rights of patronage, in regard of benefices, as well secular as regular, or parochial, or in regard of dignities, or any other benefices soever, in a cathedral or

collegiate church; as also faculties and privileges, whether granted so as to have the force of patronage, or, by virtue of any other right soever, to nominate, elect, present to the said [benefices] when they are vacant, excepting the rights of patronage which belong to cathedral churches, and excepting such others as appertain to the emperor, to kings, or to those who possess kingdoms, and to other high and supreme princes who possess the rights of sovereignty within their own dominions, as also those which have been bestowed in favour of places of general studies, shall be understood to be wholly abrogated and made void, together with the quasi-possession which is consequent thereupon. And benefices of this kind shall be conferred, as being free, by the collators thereunto; and such appointments shall obtain full effect. Furthermore, it shall be lawful for the bishop to reject the persons presented by the patrons, if they be not competent. But if the institution appertain to inferiors, they shall, nevertheless, be examined by the bishop, according to what has been elsewhere ordained by this holy synod; otherwise the institution made by those inferiors shall be null and void. But the patrons of benefices, of what order and dignity soever they may be, even if they be communities, universities, or any colleges soever, whether of clerks or laymen, shall not in any way, nor for any manner of cause or occasion, interfere in the receiving of the fruits, incomes, or revenues of any benefices soever, even though those benefices be truly, by foundation or endowment, under their right of patronage; but shall leave them to the free disposal of the rector, or of the beneficiary, any custom whatever to the contrary notwithstanding. Nor shall they presume to transfer to others, contrary to the sanctions of the canons, the said right of patronage, by sale, or under any other title soever. If they shall act otherwise, they shall be subjected to the penalties of excommunication and interdict, and shall be by the very fact deprived of the aforesaid right itself of patronage. Moreover, those accessions made by way of union of free benefices with churches subject to the right of patronage, even of laymen, whether those churches be parochial, or benefices of any other kind soever, even such as are simple, or are dignities, or hospitals, in such wise that the free benefices aforesaid are made to be of the same

nature with those unto which they are united, and are placed under the right of patronage; such [accessions], if they have not as yet been carried into full effect, as also such as shall henceforth be made, at the instance of any person soever, by what authority soever, be it even apostolic, shall, together with the said unions themselves, be regarded as having been obtained by surreption; notwithstanding any form of words therein employed, or any derogation which may be held as expressed; nor shall [such unions] be any more carried into execution, but the benefices themselves so united, shall, when they fall vacant, be freely conferred as previously. But those accessions, which, having been made within the last forty years, have obtained their effect and a complete incorporation; such shall nevertheless be reviewed and examined by the ordinaries, as the delegates of the Apostolic See; and those which shall have been obtained by surreption, or obreption, shall, together with the unions, be declared invalid, and the benefices themselves shall be separated, and be conferred upon other persons. In like manner also whatsoever rights of patronage over churches, and any other benefices of what kind soever, even dignities previously free, which have been acquired within the last forty years, or that may henceforth be acquired, whether through an increase of the endowment, or in consequence of rebuilding, or from some other like cause, even though with the authority of the Apostolic See, shall be carefully taken cognizance of by the said ordinaries, as delegates as aforesaid; and they shall wholly revoke such [rights of patronage] as they shall find not to have been legitimately established on account of some most evident necessity of the church, or benefice, or dignity; and they shall bring back benefices of this kind to their former state of liberty; without injury, however, to the incumbents thereof, and after having restored to the patrons whatsoever they may have given for this purpose; any privileges, constitutions, and customs, even though immemorial, notwithstanding.

CHAPTER X.

Judges who may be delegated by the Apostolic See are to be nominated by the Synod: by whom and by the Ordinaries Causes shall be terminated speedily.

Insomuch as on account of the malicious suggestion of suitors, and sometimes also by reason of the distance of places, a knowledge of the persons to whom causes are committed, cannot be adequately obtained; and hence causes are sometimes referred to judges on the spot who are not thoroughly competent; the holy synod ordains, that, in each provincial or diocesan council, there shall be designated certain persons who shall possess the qualifications required by the constitution of Boniface VIII., which begins, *Statutum*, and who are otherwise suited thereunto; that, to them also, besides the ordinaries of the places, may henceforth be committed those ecclesiastical and spiritual causes, belonging to the ecclesiastical court, which may be to be delegated to their districts. And if it shall happen that one of these so designated die in the interim, the ordinary of the place, with the advice of the chapter, shall substitute another in his stead, until the next provincial or diocesan synod; in such wise that each diocese shall have at least four, or even more, persons approved and qualified as above, to whom causes of this kind may be committed by any legate, or nuncio, and even by the Apostolic See. Otherwise, after the said designation has been made, which the bishops shall straightway transmit to the Sovereign Roman Pontiff, any delegations soever of other judges, made to any others but the above, shall be accounted surreptitious. The holy synod furthermore admonishes as well the ordinaries as all other judges soever, to strive to terminate causes with as much brevity as possible; and to meet in every way, either by prescribing a given term, or by some other adequate means, the artifices of lawyers, whether in delaying the trial[a] of the suit, or any other part of the judicial process.

[a] Contestatione litis.

CHAPTER XI.

Certain Leases of Ecclesiastical Property are prohibited; certain others, when made, are annulled.

It is wont to bring great ruin upon churches, when the property thereof is, to the prejudice of the successors, leased out to others upon the present payment of a sum of money. All leases, therefore, of this kind, if they be made for payments in advance, shall in nowise be considered as valid, to the prejudice of the successors; any indult or privilege soever notwithstanding; nor shall such leases be confirmed in, or out of, the Roman court. Neither shall it be lawful to let out[b] ecclesiastical jurisdictions, or the faculties of nominating, or of deputing vicars in spirituals; nor for the leaseholders[c] to exercise them in person or by others; and any grants to the contrary, even though made by the Apostolic See, shall be accounted surreptitious. But those leases of ecclesiastical things, even though confirmed by apostolic authority, the holy synod declares to be invalid, which, having been made within the last thirty years, for a long term, or as they are designated in some places, for twenty-nine, or for twice twenty-nine years, the provincial synod, or the deputies thereof, shall judge to have been contracted to the injury of the church, and contrary to the ordinances of the canons.

CHAPTER XII.

Tithes to be paid entirely. Those withholding the Payment thereof are to be excommunicated. The Rectors of Poor Churches are to be piously assisted.

Those are not to be borne who, by various artifices, endeavour to withhold the tithes accruing to the churches; nor those who rashly take possession of, and apply to their own purpose, the tithes which ought to be paid by others; whereas the payment of tithes is due to God;[d] and they who refuse to pay them, or hinder those who give them, usurp the property of others. The holy synod therefore enjoins

[b] Locare. [c] Conductoribus.
[d] Cf. Exod. xxii. 29; Lev. xxvii. 30, sqq.

on all, of what rank and condition soever they be, to whom the payment of tithes belongs, that they henceforth pay in full the tithes, to which they are bound in law, to the cathedral church, or to what other churches, or persons soever, they are lawfully due. And they who either withhold them, or hinder them [from being paid], shall be excommunicated; nor be absolved from this crime, until full restitution has been made. It further exhorts all and each, that of their Christian charity, and the duty owed to their own pastors, they grudge not, out of the good things bestowed on them by God, bountifully to assist those bishops and parish priests who preside over the poorer churches; to the praise of God, and to maintain the dignity of their own pastors who watch for them.

CHAPTER XIII.

Cathedral or Parish Churches shall receive the Fourth of Funeral [Dues].

The holy synod decrees, that in what places soever, forty years ago, a fourth, as it is called, of funerals, was accustomed to be paid to the cathedral or parish church, but has subsequently, by virtue of what privilege soever, been granted to other monasteries, hospitals, or any other kind of pious places; the same shall henceforth, with full rights, and in the same proportion as was formerly usual, be paid to the cathedral or parish church; all grants, graces, privileges, even those called *mare magnum*, or any others soever, notwithstanding.

CHAPTER XIV.

The Manner of Proceeding against Clerks guilty of keeping Concubines is prescribed.

How shameful, and how unworthy it is the name of clerks who have devoted themselves to the divine service, to live in the filth of immodesty, and unclean concubinage, the thing itself doth sufficiently testify, in the common offence of all the faithful, and the extreme disgrace entailed on the clerical order.[e] To the end, therefore, that the ministers of the Church may be recalled to that continency and integrity of life which becomes them; and that the people may hence

[e] Militiæ, soldiery.

the more learn to reverence them, the more pure of life they know them to be: the holy synod forbids all clerks soever to dare to keep concubines, or any other women of whom any suspicion can be entertained, either in or out of their own dwellings, or to presume to have any commerce with them: otherwise they shall be punished with the penalties imposed by the sacred canons, or by the statutes of the churches. But if, having been admonished by their superiors, they shall not refrain from these women, they shall be by the very fact deprived of the third part of the fruits, revenues, and proceeds of all the benefices and pensions whatsoever; which [third part] shall, at the discretion of the bishop, be applied to the fabric of the church, or to some other pious place. If, however, persisting in the same crime, with the same or some other woman, they shall not yet have obeyed a second admonition, not only shall they thereupon forfeit all the fruits and proceeds of their benefices, and their pensions, which shall be applied to the places aforesaid, but they shall also be suspended from the administration of the benefices themselves, for as long a time as the ordinary shall think fit, even as the delegate of the Apostolic See. And if, having been thus suspended, they shall nevertheless not send away those women, or if they shall even have intercourse with them, then shall they for ever be deprived of their ecclesiastical benefices, portions, offices, and pensions of what kind soever, and be rendered thenceforth incapable and unworthy of any manner of honours, dignities, benefices, and offices, until after a manifest amendment of life, it shall seem good to their superiors, for a [just] cause, to grant them a dispensation. But if, after they have once put them away, they shall have dared to renew the interrupted connection, or to take to themselves other scandalous women of this sort, they shall, in addition to the penalties aforesaid, be smitten with the sword of excommunication. Nor shall any appeal, or exemption, hinder or suspend the execution aforesaid; and the cognizance of all the matters above mentioned shall not belong to archdeacons, or deans, or other inferiors, but to the bishops themselves, who may proceed without the noise and the formality of justice, and by the sole investigation of the truth of the fact. But clerks, who hold not ecclesiastical benefices or pensions, shall, according to the quality of

their crime and contumacy, and their persistence therein, be punished, by the bishop himself, with the penalty of imprisonment, suspension from their order, and inability to obtain benefices, or in other ways according to the sacred canons. Bishops also, if, which far be it! they abstain not from crime of this nature, and, being admonished by the provincial synod, do not amend, shall be by the very fact suspended; and if they persevere, they shall even be reported by the said synod to the most holy Roman Pontiff, who shall animadvert upon them according to the character of their guilt, even with deprivation, if need be.

CHAPTER XV.

The Illegitimate Sons of Clerics are to be excluded from certain Benefices.

That the memory of paternal incontinency may be banished as far as possible from places consecrated to God, the which purity and holiness do most especially become; it shall not be lawful for the sons of clerks, who are not born from lawful wedlock, to hold, in those churches wherein their fathers have, or have had an ecclesiastical benefice, any benefice soever, even though a different one; nor to minister in any way in the said churches; nor to have pensions out of the fruits of benefices which their fathers hold, or have at another time held. And if a father and son shall be found, at this present time, to hold benefices in the same church; the son shall be compelled to resign his benefice, or to exchange it for another out of that church, within the space of three months; otherwise he shall by the very fact be deprived thereof; and any dispensation touching the aforesaid shall be accounted surreptitious. Moreover any reciprocal resignations which shall heretofore be made by fathers who are clerks in favour of their sons, that one may obtain the benefice of the other, shall be absolutely regarded as made with a view to the fraudulent evasion of this decree, and of the ordinances of the canons; nor shall the collations that have followed, by force of resignations of this kind, or of any others soever which have been made fraudulently, be of avail to the said sons of clerks.

CHAPTER XVI.

Benefices with Cure shall not be converted into Simple Ones. A Suitable Portion shall be assigned to him who exercises the Cure of Souls. Vicarages shall cease when the Cure is recalled to the Titles.

The holy synod ordains, that those secular ecclesiastical benefices, by what name soever they may be called, which, by their earliest institution, or in any other way soever, have the cure of souls, shall not henceforth be converted into a simple benefice, even though a suitable portion be assigned to a perpetual vicar; any graces soever which have not obtained their full effect notwithstanding. But, as regards those [benefices] in which, contrary to the institution or foundation thereof, the cure of souls has been transferred to a perpetual vicar, even though they be found [to have been] in this state from time immemorial, if a suitable portion of the fruits have not been assigned to the vicar of the church, by what name soever he may be designated, the same shall be assigned as soon as possible, and within a year at the latest from the end of the present council, at the discretion of the ordinary; according to the form of the decree made under Paul III., of happy memory. But if this cannot conveniently be done, or if it be not done within the said term, as soon as, whether by the resignation or decease of the vicar, or rector, or in what way soever either of the above shall be vacant,[f] the benefice shall again receive the cure of souls; and the name of the vicarage cease, and it shall be restored to its ancient state.

CHAPTER XVII.

Bishops shall maintain their Dignity by Gravity of Demeanour; nor conduct themselves with Unworthy Servility towards the Ministers of Kings, towards Nobles,[g] or Barons.

The holy synod cannot but grievously lament hearing that certain bishops, forgetful of their own estate, do in no light manner disgrace the pontifical dignity; comporting themselves, both in church and out of it, with an unseemly kind of servility, towards the ministers of kings, nobles, and

[f] Alterum eorum vacaverit. [g] Regulis.

barons; and, as if they were inferior ministers of the altar, not only most unworthily give them place; but even serve them in person. Wherefore, the holy synod, detesting this and the like behaviour, doth, by renewing all the sacred canons, the general councils, and other apostolical sanctions appertaining to the decorum and weight of the episcopal dignity, enjoin, that bishops in future abstain from such conduct; charging them that, both in church and out of it, having before their eyes their own rank and order, they everywhere remember that they are fathers and pastors; [enjoining] also on others, as well princes as all other persons soever, to pay them paternal honour and due reverence.

CHAPTER XVIII.

The Canons shall be exactly observed. If, at any time, a Dispensation is to be granted in regard thereof, it shall be done Validly, with Mature Deliberation, and Gratuitously.

As it is expedient for the public good, to relax at times the fetters of the law, thereby more completely to meet, for the common advantage, the cases and necessities which arise; so also, to dispense too often with the law, and to yield to petitioners on account of precedent,[h] rather than upon any certain discernment in regard of persons and circumstances, is nothing else but to open a way for each one to transgress the laws: Wherefore, know all men, that the most sacred canons are to be exactly observed by all, and, as far as is possible, without distinction. But if any urgent and just reason, and at times a greater advantage, shall require that some be dispensed with; this shall be granted, after the cause has been taken cognizance of, and after the most mature deliberation, and gratuitously, by all those soever to whom that dispensation appertains; and any dipensation granted otherwise shall be esteemed surreptitious.

CHAPTER XIX.

Duelling is punished with the most Severe Penalties.

The detestable custom of duelling, introduced by the contrivance of the devil, that by the bloody death of the bodies

[h] Exemplo.

he may accomplish the ruin of the souls, shall be utterly exterminated from the Christian world. Any emperor, kings, dukes, princes, marquises, counts, and temporal lords by what other name soever entitled, who shall grant a place within their territories for single combat between Christians, shall be thereupon excommunicated, and shall be understood to be deprived of jurisdiction and dominion over any city, castle, or place, in or at which they have permitted the duel to take place, which they hold of the church; and if those places be held as a fief, they shall forthwith be escheated to their direct lords. But those persons who have fought, and those who are called their seconds,[1] shall incur the penalty of excommunication, and the forfeiture of all their property, and of perpetual infamy, and are to be punished as homicides, according to the sacred canons; and if they have perished in the conflict itself, they shall for ever be deprived of ecclesiastical sepulture. Those also who have given counsel in the case of a duel, whether touching right, or fact, or have in any other way soever persuaded any one thereunto, as also the spectators thereof, shall be bound by the bond of excommunication, and of perpetual malediction; any privilege soever, or evil custom, though immemorial, notwithstanding.

CHAPTER XX.

Matters appertaining to Ecclesiastical Law are recommended to Secular Princes.

The holy synod being desirous that ecclesiastical discipline may not only be restored amongst the Christian people, but that it also may be for ever preserved sound and safe from all manner of hindrances; besides those things which it has ordained respecting ecclesiastical persons, has thought fit, that secular princes also be admonished of their duty; trusting that they, as Catholics, whom God hath willed to be the protectors of holy faith and Church, will not only grant that to the Church her own right be restored, but will also recall all their own subjects to the reverence due towards the clergy, parish priests, and the superior orders; nor permit that their officials, or inferior magistrates, through

[1] Patroni.

any eagerness of covetousness, or any want of consideration, violate that immunity of the Church and of ecclesiastical persons, which, by the ordinance of God, and by the sanctions of the canons, has been established; but that they render, together with the princes themselves, due observance to the sacred constitutions of Sovereign Pontiffs and of councils. It decrees, therefore, and enjoins, that the sacred canons, and all the general councils, as also all other apostolic sanctions, published in favour of ecclesiastical persons, of the liberty of the Church, and against the violators thereof, —all which it also renews by this present decree,—be exactly observed by all men. And on this account it admonishes the emperor, kings, republics, princes, and all and each, of what state and dignity soever they be, that, the more abundantly they are adorned with temporal goods, and with power over others, so much the more religiously should they respect whatsoever is of ecclesiastical right, as being commanded by God, and as being under the cover of His protection; and that they suffer not such to be injured by any barons, lords, governors, or other temporal masters, and above all by the immediate officers of the masters themselves; but animadvert severely on those, who obstruct her liberty, immunity, and jurisdiction. Unto whom let they themselves be an example in regard of piety, religion, and the protection of the churches, imitating those most excellent and religious princes their predecessors, who not only defended from injury at the hands of others, but, by their own authority and munificence, especially advanced the interests of the Church. And therefore let each one herein earnestly discharge his duty; that so the divine worship may be devoutly exercised, and prelates and other clerks remain, quietly and without hindrances, in their own residences and in the discharge of their duties, to the profit and edification of the people.

CHAPTER XXI.

In all things the Authority of the Apostolic See shall remain untouched.

Lastly, the holy synod declares, that all and each of the things which, under what clauses and words soever, have been ordained in this sacred council, touching the reforma-

tion of morals and ecclesiastical discipline, as well under the Sovereign Pontiffs Paul III. and Julius III., of happy memory, as under the most blessed Pius IV., have been so decreed, as that the authority of the Apostolic See both is, and is understood to be, ever untouched thereby.

DECREE FOR CONTINUING THE SESSION ON THE FOLLOWING DAY.

Whereas all those matters which had to be treated of in the present session cannot, because of the late hour, be conveniently despatched; therefore, according as was resolved on by the fathers in general congregation, those matters which remain are deferred till to-morrow, in continuation of this same session.

CONTINUATION OF THE SESSION,

On the fourth day of December.

DECREE CONCERNING INDULGENCES.

Whereas the power of conferring indulgences was granted by Christ to the Church; and she has, even in the most ancient times, used the said power,[j] delivered unto her of God; the sacred and holy synod teaches and enjoins, that the use of indulgences, most salutary for the Christian people, and approved of by the authority of sacred councils, is to be retained in the Church; and it condemns with anathema those who either assert that they are useless, or who deny that there is in the Church the power of granting them. In granting them, however, it desires that, according to the ancient and approved custom in the Church, moderation be observed, lest, by excessive facility, ecclesiastical discipline be enervated. And desiring that the abuses which have crept into these matters, and by occasion of which this excellent name of indulgences is blasphemed by heretics, be amended and corrected, it ordains generally by this decree, that all evil gains for the obtaining thereof, whence a most abundant cause of abuses amongst the Christian people has been derived, be entirely abolished. But as regards the other [abuses], which have proceeded from superstition,

[j] See Matt. xvi. 19; John xx. 23.

ignorance, irreverence, or from what other source soever, since, by reason of the manifold corruptions in the places and provinces where the said abuses are committed, they cannot conveniently be specially prohibited; it commands all bishops, that they, each in his own church, diligently collect all abuses of this nature, and report them in the first provincial synod; that, after the opinions of the other bishops have also been ascertained, they may forthwith be referred to the Sovereign Roman Pontiff, by whose authority and prudence that which may be expedient for the universal Church will be ordained; that thus the gift of holy indulgences may be dispensed to all the faithful, piously, holily, and incorruptly.

ON CHOICE OF FOOD; ON FASTS, AND FESTIVAL DAYS.

The holy synod furthermore exhorts, and, by the most holy advent of our Lord and Saviour, conjures all pastors, that, like good soldiers, they sedulously recommend to all the faithful all those things which the holy Roman Church, the mother and mistress of all churches, has ordained, as also those things which, as well in this council as in the other œcumenical councils, have been ordained, and that they use all diligence, to the end that they be observant of all things thereof, and especially of those which conduce to mortify the flesh, such as the choice of food and fasts; as also those which tend to promote piety, such as the devout and religious celebration of festival days; often admonishing the people to obey those set over them,[k] whom they who hear shall hear God as a rewarder, whilst they who contemn them shall feel God himself as an avenger.

ON THE INDEX OF BOOKS, AND THE CATECHISM, BREVIARY, AND MISSAL.

The sacred and holy synod, in the second session celebrated under our most holy lord Pius IV., gave commission to certain chosen fathers, that they should consider what ought to be done touching various censures, and books either suspected or pernicious, and to make a report thereon to the said holy synod. Hearing now that the finishing hand has been put to that labour by those fathers; which, however, by reason of the variety and multitude of books

[k] Luke x. 16; Heb. xiii. 17.

cannot be distinctly and conveniently judged of by the holy synod; it enjoins that whatsoever has been by them done shall be laid before the most holy Roman Pontiff, that it may by his judgment and authority be terminated and made public. And it commands that the same be done in regard of the Catechism, by the fathers to whom that work was consigned, and as regards the Missal and Breviary.

ON THE PLACE OF AMBASSADORS.

The holy synod declares, that, by the place assigned to ambassadors, as well ecclesiastics as seculars, whether in session, procession, or in any other acts soever, no prejudice has been created in regard of any amongst them; but that all their own rights and prerogatives, and those of their own emperor, kings, republics, and princes, are uninjured and sound, and continue in the same state as they were before the present council.

ON RECEIVING AND OBSERVING THE DECREES OF THE COUNCIL.

So great has been the calamitousness of these times, and the inverate malice of the heretics, that there has been nothing ever so clear in the statement of our faith, or so surely settled, which they, at the persuasion of the enemy of the human race, have not defiled by some sort of error. For which cause the holy synod hath taken especial care to condemn and anathematize the principal errors of the heretics of our time, and to deliver and teach the true and Catholic doctrine; even as it has condemned, anathematized, and defined. And whereas so many bishops, summoned from the various provinces of the Christian world, cannot be absent for so long a time without great casting away of the flock committed to them, and without universal danger; and whereas no hope remains that the heretics, after having been so often invited, even with the public faith which they desired, and so long expected, will come hither later; and as it is therefore necessary to put an end at length to the sacred council: it now remains for it to admonish in the Lord all princes, as it hereby does, so to afford their assistance as not to permit the things which it has decreed to be corrupted or violated by heretics; but that they be by them and all others devoutly received and faithfully observed.

But if any difficulty should arise in regard of receiving those [decrees], or should any things occur, which it does not believe, which require explanation or definition, the holy synod trusts that, besides the other remedies appointed in this council, the most blessed Roman Pontiff will take care that, for the glory of God and the tranquillity of the Church, provision be made for the necessities of the provinces, either by summoning, particularly out of those provinces where the difficulty shall have arisen, those whom he shall deem it expedient, in treating of the said matters; or even by the celebration of a general council, if he shall judge it necessary; or in such other way as shall seem to him most convenient.

ON RECITING, IN SESSION, THE DECREES OF THE COUNCIL UNDER PAUL III. AND JULIUS III.

Insomuch as, at divers times, as well under Paul III. as under Julius III., of happy memory, many things have, in this sacred council, been ordained and defined touching dogmas and reformation of manners, the holy synod wills that they now be recited and read.

They were recited.

ON THE CLOSE OF THE COUNCIL, AND ON SUING FOR CONFIRMATION FROM OUR MOST HOLY LORD.

Most illustrious lords and most reverend fathers, doth it please you that, to the praise of Almighty God, an end be put to this sacred œcumenical synod? and that the confirmation of all and each of the things which have therein been decreed and defined, as well under the Roman pontiffs Paul III. and Julius III., of happy memory, as under our most holy lord Pius IV., be asked, in the name of this holy synod, by the presidents, and the legates of the Apostolic See, from the most blessed Roman pontiff?

They answered: It pleaseth us.

Afterwards, the most illustrious and most reverend Cardinal Morone, the first legate and president, blessing the holy synod, said: After having given thanks to God, most reverend fathers, go in peace.

Who answered: Amen.

ACCLAMATIONS OF THE FATHERS AT THE CLOSE OF THE COUNCIL.

The Cardinal of Lorraine. To the most blessed Pius, pope, and our lord, pontiff of the holy and universal Church, many years and eternal memory.

Answer of the Fathers. O Lord God, do Thou very long preserve the most Holy Father unto thy Church, for many years.

The Cardinal. To the souls of the most blessed sovereign pontiffs Paul III. and Julius III., by whose authority this sacred general council was begun, peace from the Lord, and eternal glory, and happiness in the light of the saints.

Answer. Be their memory in benediction.

The Cardinal. Of the Emperor Charles the Fifth, and of the most serene kings, who have promoted and protected this universal council, be the memory in benediction.

Answer. Amen, amen.

The Cardinal. To the most serene Emperor Ferdinand, ever august, orthodox, and pacific, and to all our kings, republics, and princes, many years.

Answer. Preserve, O Lord, the pious and Christian emperor. Oh, Heavenly Emperor, protect earthly kings, the preservers of the right faith.

The Cardinal. To the legates of the Apostolic Roman See, and presidents in this synod, many thanks, with many years.

Answer. Many thanks: the Lord reward them.

The Cardinal. To the most reverend cardinals, and most illustrious ambassadors.

Answer. Many thanks; many years.

The Cardinal. To the most holy bishops, life, and a happy return to their own churches.

Answer. To the heralds of truth, perpetual memory; to the orthodox senate, many years.

The Cardinal. The sacred and holy œcumenical Synod of Trent: let us confess its faith; let us ever keep its decrees.

Answer. Ever let us confess, ever let us keep.

The Cardinal. We all thus believe; we all think the very same; we all, consenting and embracing them, subscribe. This is the faith of blessed Peter, and of the apostles: this is the faith of the fathers: this is the faith of the orthodox.

Answer. Thus we believe; thus we think; thus we subscribe.

The Cardinal. To these decrees adhering, may we be rendered worthy of the mercies and grace of the first and great supreme priest, Jesus Christ God; our inviolate Lady, the holy mother of God, also interceding, and all the saints.

Answer. So be it: so be it. Amen, amen.

Cardinal. Anathema to all heretics.

Answer. Anathema, anathema.

After this, it was enjoined on all the fathers, by the legates and presidents, under pain of excommunication, that, before they departed from the city of Trent, they should subscribe with their own hand to the decrees of the council, or approve thereof by some public instrument; all of whom then subscribed, and they were in number 255; to wit, four legates, two cardinals, three patriarchs, twenty-five archbishops, one hundred and sixty-eight bishops, seven abbots, thirty-nine proctors of absent [prelates] with lawful commission, seven generals of [religious] orders.

Praise be unto God.

It agrees with the original: in faith whereof we have subscribed:

I, Angelus MASSARELLI, bishop of Telesia, secretary of the sacred Council of Trent.

I, Marcus Antonius PEREGRINUS, of Como, notary of the said council.

I, Cynthius PAMPHILUS, clerk of the diocese of Camerino, notary of the said council.

DISCOURSE DELIVERED AT THE NINTH AND LAST SESSION OF THE SACRED COUNCIL OF TRENT,

Celebrated on two successive days, the third and fourth of December, 1563, *Pius IV. being Sovereign Pontiff, by the Reverend Father in God Hieronymus Ragasonus, a Venetian, Bishop of Nazianzum, and Coadjutor at Fama Agosta.*

HEREIN ARE SUMMARILY RECOUNTED ALL THE MATTERS DEFINED IN THE COUNCIL OF TRENT WHICH APPERTAIN UNTO PIOUSLY BELIEVING AND LIVING WELL.

HEAR this, all people; receive it with your ears, all ye who inhabit the earth. The Council of Trent, long since begun, for a season delayed, variously harassed and torn asunder, is, at length, by the great and incredible good-will of all orders and nations, united in its parts, and brought to a close. Most happily, indeed, hath this day dawned upon the Christian people, on which the temple of the Lord, oftentimes disturbed and scattered asunder, is restored and completed, and this only ship, fraught with good things, after the severest and most lasting tempests and billows, is safely lodged in its port. And would that they had been willing to embark with us, for whose sake most especially this very voyage was undertaken, and that they, who had given us this occupation, had been partakers in the construction of the edifice—then, indeed, should we now have had cause for even greater joy. But this happened certainly not through our fault.

We made choice of this city, at the very entrance of Germany, aye, almost at the very threshold of their dwelling; we provided no guard for ourselves, lest we should excite any suspicion on their part that the place was not perfectly free; we granted them the public faith, which they had stipulated for themselves; we awaited them here for a long season, nor ceased we even to exhort and entreat, that they should draw nigh to know the true light. Yet, even in their absence, I think, we have sufficiently consulted their interest. For whereas there were two matters, in which medicine was to be applied to their sickening and infirm minds,—one being the doctrine concerning the Catholic and truly evangelical faith, in those matters which are called in question by themselves, and in such as seemed to be oppor-

tune at this season, being explained and confirmed; the other, the restoration of ecclesiastical discipline, the corruption of which they affirm was the chief reason of their separation from us;—both these things we, as far as lay in us, have abundantly furnished, according to the exigencies of these times.

For, at the commencement, this holy synod (having, according to the praiseworthy custom of our ancestors, made a profession of its faith), to the end that it might lay down, as it were, a foundation for its future proceedings, and might show upon what testimonies and safeguards men must rely in the ordaining of dogmas, did, after the example of the most approved ancient councils, piously and prudently enumerate the books of the Old and New Testaments which are to be received without any hesitation; and, lest any difficulty might arise from various versions, did approve a certain and definite translation from the Greek and Hebrew. Hence, attacking the head and citadel of all heresies, it ordained those things [to be believed] touching the corrupt beginnings of human nature, which truth itself, could it speak, would express. Concerning justification thenceforth (a serious question, and in a wondrous manner opposed both by ancient heretics, and by those of our own time) it laid down definite statements, which should both meet the most pernicious opinions on that head, and by which the manner of thinking rightly was set forth in a wondrous order, and with admirable wisdom, in such wise that the Spirit of God might easily be perceived therein. By this, the most excellent decree within the memory of man, almost all heresies are destroyed, and, even as darkness by the sun, are they dissipated and dispersed, and such brightness and such glory of truth shines forth, that no man can now pretend that he perceiveth not so great a light. An wholesome consideration of the seven divine sacraments of the Church followed; first concerning all, and afterwards of each separately. And herein who does not see, how distinctly, explicitly, copiously, and (which is the head of all) how truly the whole subject of these heavenly mysteries is contained? Who, in so great and so multifarious a doctrine, can in any way doubt what is to be either followed or avoided? Who, in all those matters, will find room or opportunity for erring?

Who, in fine, can hereafter doubt concerning the virtue and efficacy of these sacraments, when it is perceived that that grace, which daily, like certain droppings of water, is, by means of those said [sacraments], instilled into the minds of the faithful, was then so abundantly present unto us? To these matters were added decrees touching the sacred and holy sacrifice of the mass, and the communion under both forms, and [the communion] of little children; than which [decrees] nothing is more holy, nothing more useful, so that they may seem to have fallen from heaven, not to have been composed by men. To these a certain doctrine will this day be added, touching indulgences, purgatory, the veneration, invocation, images, and relics of the saints; by which not only will resistance be made to the frauds and calumnies of heretics, but full satisfaction will also be given to the consciences of pious Catholics.

These matters, touching the things appertaining to our salvation, which are called dogmas, have been prosperously and happily settled, nor will anything else on that head be expected from us at this season.

But whereas, in the administering of certain of the aforesaid matters, there were some points which were not fitly and rightly observed, you, most noble fathers, took most earnest care that they should be treated of purely and holily, and after the manner and ordinance of our ancestors. Thus did ye remove all superstition, all search after gain, all so-called 'irreverence' from the divine celebration of masses; ye forbade vagrant, unknown, and sinful priests offering this sacrifice; recalled the use of this most sacred thing from private and profane houses to sacred and religious places; removed effeminate songs and symphonies, walkings to and fro, conversations, and traffic, from the temple of the Lord; and those laws were by you prescribed to each ecclesiastical degree, in such wise that, the order being divinely handed down to them, no opportunity of abusing it can be left. Thus ye have removed certain impediments to matrimony, which seemed to give, as it were, a handle for violating the precepts of the Church; ye have shut off the easy way of obtaining excuse from those who entered into the compact of matrimony in a manner scarcely lawful. What should I say touching stealthy and secret marriages? In truth I

so conceive, that if there had been no other causes (which yet were many and most important) for calling together this council, it should certainly have been done on this one account. For whereas this matter regards all, nor is any corner found in the whole orb of the earth, which this plague-spot has not invaded, with reason was care to be taken, that provision for this common evil should be made also by common counsel. By that most prudent and almost divine sanction of yours, O most holy fathers, the occasion of countless and most grievous offences and wickednesses has been entirely removed, and the wisest provision made for the government of the Christian commonwealth. To these matters is to be added an especially useful and necessary interdiction of many abuses touching the subjects of purgatory, veneration of saints, worship of images and relics, and also of indulgences, which seemed to deface and defile the most beautiful aspect of the things aforesaid.

But the other part, in which it was necessary to treat of the relaxed and almost falling ecclesiastical discipline, was also most diligently completed and perfected. Hereafter those men will be chosen to fulfil ecclesiastical functions who surpass in virtue, not in ambition, and who may consult the people's advantage, not their own, and may rather profit than rule over them.[1] The word of God, more penetrating than any two-edged sword, will more frequently and more earnestly be announced and explained.

The bishops and those others to whom the cure of souls is committed will be present, and will watch over their flocks, nor will they wander beyond the charge intrusted to them. Privileges will avail no one either for living in a state of uncleanness and crime, or for teaching evilly and perniciously; no crime will be left without punishment, no virtue without reward. Excellent provision has been made for the multitude of poor and mendicant priests; each man will be assigned to a certain church and appointed office, whence he may be able to be supported.

Avarice, than which no vice is more deadly, especially in the house of God, is absolutely abolished therefrom; all the sacraments will, as is meet, be conferred gratuitously. Out

[1] Et prosint potius quam præsint; lit. "be for rather than be over."

of one church several, out of several one, according as the advantage and state of the people shall demand, will be formed. Those who quest for alms, who, by seeking after their own interest, not after the things of Jesus Christ, brought great damage, great disgrace upon our religion, will—which must be put in the place of extreme happiness—be utterly rooted out of the whole memory of men. Hence our present calamity took its rise; hence the infinite evil ceased not to glide and flow wider and wider daily, nor could it hitherto be met by the cautions and provisions made by many councils. Who, therefore, will not say that it has most wisely been brought to pass, that this member, in the healing of which long and great trouble has been spent in vain, should be cut off? Moreover, worship will be offered unto God in a more pure and correct manner; and they who bear the Lord's vessels will be cleansed, that they may draw others to imitate them. For which it was most excellently devised, that they who were to be initiated into holy orders should in each church be instructed in such morals and letters from their earliest years, that it might be as it were a seminary of all virtues. But now, the provincial synods being restored, the visitations renewed, for the benefit of the people, not for complaint and expense;[m] the power being delivered unto pastors of more conveniently governing and feeding their own; public penance being brought back to use; hospitality enjoined both on ecclesiastical persons and on pious places; a memorable and almost heavenly system laid down respecting conferring priesthoods having cure [of souls]; plurality (as it is called) of benefices removed; the hereditary possession of the sanctuary of God prohibited; the manner of excommunication imposed and determined; the first trials being assigned to those places where the quarrels arise; duelling interdicted; a certain curb, as it were, which cannot easily be shaken off, being imposed upon the luxury, avarice, and licentiousness of all men, especially in holy orders; kings and princes being admonished of their duty, and other matters of this kind most prudently ordained, who does not see that you, most excellent fathers, have fulfilled your parts in this affair to the fullest extent? In former councils measures have been

[m] Ad querelam et sumptum.

taken touching the explanation of our faith and the correction of morals, but I know not whether ever more diligently and distinctly. Here, especially during this two last years, we have had [assembled] not only the fathers, but the ambassadors of all people and nations, in which the truth of the Catholic religion is acknowledged. And what men! If we consider their learning, most erudite; if their experience, most skilled; if their intellects, most penetrating; if their piety, most religious; if their life, most innocent. Such also was the number, that, if the present straits of the Christian world be considered, this synod appears to be more numerous than any of those which have been held heretofore. Here were the individual wounds of all laid open, here was their conversation of life exposed, nought was dissembled. The arguments and reasons of our adversaries were treated of in such a manner, that their cause, not ours, then seemed to be the one at stake. Some matters were discussed a third and even a fourth time; the dispute was often carried on with the greatest contention, with that design, forsooth, that as gold by the fire, so might the strength and sinews of truth be approved by certain struggles, as it were, of truth. For what discord could exist between those who were of one mind, and who regarded one object?

Since matters stand thus, although (as I said at the beginning) it were greatly to be wished that these things could have been treated of in the presence of those on whose account they have chiefly been discussed; nevertheless, such provision has been made for the safety and health of those absent, that it would seem that, had they been present, provision could have been made in no other manner. Let them humbly, as becometh a Christian man, read what we have ordained touching our faith, and, if any light shall shine upon them, let them not turn away their faces; and, if they have heard the voice of the Lord, let them not harden their hearts; and, if they wish to return to the common embrace of Mother Church, from which they have torn themselves, let them not doubt that all clemency and mercy will be afforded them. But that, most august fathers, is the chiefest mode of conciliating the minds that dissent from us, and of retaining those who consent in faith and duty, if

those things which we have in this place ordained in words, we ourselves exhibit practically in our own churches. Laws, although they be the best, are yet a dumb thing. What availed the Hebrew people the laws given by the mouth of God himself? What advantage did the laws of Lycurgus bring to the Lacedæmonians, of Solon to the Athenians, in retaining the liberty on account of which they were written? But wherefore do I call to mind foreign and too ancient things? What instructions or precepts for living well and happily can or ought we to lack, besides the life and teaching of Christ our Lord alone? What, moreover, was omitted by our ancestors, appertaining both to thinking rightly or doing gloriously? Long since, indeed, we had a salutary medicine composed and prepared; but, if it has to expel a disease, it must be taken, and through the veins diffused throughout the whole body. Let us, dearest [brethren], for the first time be drunken with this cup of salvation, and let us be living and speaking laws, and, as it were, a rule and canon to which the actions and studies of others may be directed; and let each man so persuade himself, that nothing will turn out to the advantage and dignity of the Christian republic, except he earnestly contribute all in his own power.

That was both before to be our care, and will hereafter be so, with yet more accuracy. For if, after the example of our Master and Saviour, we ought to do before we teach; what excuse can there be, but that we should do after we have taught? Who will be able to bear with or endure us, if, after we have shown that theft is not to be committed, we ourselves be guilty of theft? if, [when we have shown] that fornication is a crime, we [ourselves] be fornicators? Little does it become the holy to dissent from the holy council—the innocent and blameless from the precepts of integrity and innocence—the firm and constant in faith from the established doctrine of our faith. And such, indeed, do our people expect us [to be], who, having long time borne with our absence, consoled themselves with the hope that, when present, we should atone for this concession of time by greater zeal. But that will, as I hope, most holy fathers, be diligently brought about by yourselves; and, as ye have done in this place, so also will ye at home do enough

in the sight of God and men. Now (as doth appertain to the present moment), let us first have and offer immortal thanks unto the most mighty and immortal God himself, who hath rewarded us, not according to the sins which we have committed, nor according to our iniquities, but hath, of his own great kindness, granted unto us not only to behold this day, which many have longed to behold, but also to celebrate it with the incredible consent and approbation of the whole Christian people. To Pius IV., our supreme and most excellent pontiff, perpetual and special thanks are next to be acknowledged; who, when first he ascended the seat of the blessed Peter, was inflamed with so great desire of restoring this synod, as to fix all his cares and thoughts thereupon! He forthwith sent nuncios, men of the most approved character, to indict a council to those nations and provinces concerning whose especial salvation it was called together. These passed through almost every district of the north—asked, entreated, conjured, promised all friendly things, and even contrived to pass over into England. Afterwards, when he was unable, as he had most earnestly desired, to be present at the synod, he sent his legates, men most surpassing in piety and learning, two of whom (whose memory is blessed) he willed to be present here on the appointed day, although scarcely any bishops had assembled. These, and a third shortly after added to them, for two months and more, unoccupied, waited at this place for a number of bishops sufficient to form the council, while, in the interim, the Pontiff himself was doing and meditating nought else, but that as many and as excellent fathers, and as soon as possible, might come hither, and that all the kings and princes of the Christian name might send their ambassadors hither, to the end that this, the most weighty and most great common cause of all, might be debated with the common votes and counsel of all. And what did he afterwards omit, either in care, anxiety, or expense, that in any manner seemed to appertain to the magnitude, freedom, and convenience of this council? O the singular piety, and prudence of our pastor and father! O the supreme happiness of him under whose authority and auspices this council, so long tossed about and disturbed, now stands still and is at rest! Upon you, Paul III., upon

you, Julius, now dead, I call, to witness how long and with how great earnestness ye longed to behold what we behold! how many expenses, how many labours ye bestowed for that purpose! Wherefore, most holy and blessed Pius, we truly and with our genuine feelings congratulate thee, because the Lord (which is the greatest proof of the divine goodwill towards thee) hath reserved so great joy for thee, so great a praise for thy name. Him do we, suppliant with all prayers and vows, beseech that he will with all haste restore thee, and for as long a time as possible preserve thee safe, for the advantage and honour of his holy Church. We ought also, with the best reason, to return thanks and congratulations to our most serene emperor. He, representing the disposition, as he did the place, of the most powerful Cæsars,[n] who burned with a certain wondrous desire to propagate the Christian religion, preserved this city free from all danger, and by watchfulness contrived that we should enjoy a safe and tranquil peace, and, by the presence, and almost by the pledge, of three of his legates, most excellent men, inspired great feeling of safety in our minds. He, in his surpassing piety, was wondrously anxious on this our behalf.

He laboured greatly to draw forth men from the most misty darkness in which they were dwelling, and to lead them to behold the most brilliant light of this holy synod. Yet further, the especially pious goodwill of the Christian kings and princes in adorning this council with their most important embassies, and in submitting their insignia of state[o] to your authority, is to be cherished by grateful remembrance on our part. But now who is there, most illustrious legates and cardinals, who does not confess that he is much indebted to you? Ye have been the best leaders and regulators of our actions. You have, with incredible patience and diligence, taken care lest our liberty, either in speaking or in decreeing should in any respect be infringed. You have spared no labour of body, no exertion of mind, to the end that the matter might as quickly as possible be brought to the wished-for result, which many others like you had vainly striven to attain. In which matter you, most illustrious and accomplished Morone, ought to have a certain chief and par-

[n] The emperors of Germany always bore this title. [o] Fasces.

ticular joy, who, when thou hadst laid the first stone for this most famous edifice twenty years ago, dost now, after many other architects have given their efforts to this work, happily, in thy supreme and almost divine wisdom, put the last stroke to this work. This great and peculiar deed of thine will be celebrated by the perpetual discourse of all, nor will any age ever be silent concerning these thy praises. What shall I say concerning you, most holy fathers, how well, by these most surpassing deeds, ye have deserved of the Christian republic? How great will be the commendation attached to the name of each of you, how great glory will be awarded you by the whole Christian people! All will acknowledge and celebrate you as truly fathers, truly pastors; to you will every man most willingly refer the life and salvation received. O day most pleasant and joyous for our people, on which it shall befall them first to again behold us, and embrace us on our return from building up the temple of the Lord!

But, O thou Lord our God, grant that we, by great deeds, may answer to so excellent an opinion concerning us, and that this seed, which thou hast sown in thy field, may bring forth abundant fruit, and that thy word may flow like dew; and, that that which thou hast sometime promised should be, may take place in our times, that there be one fold, and one shepherd over all, and that he may most especially be Pius IV., unto the everlasting glory of thy name. Amen.

CONFIRMATION OF THE COUNCIL.

We, Alessandro di Farnese, cardinal-deacon of Saint Lawrence in Damaso, vice-chancellor of the holy Roman Church, do certify and attest, that, on this day, being Wednesday, the twenty-sixth of January, 1564, in the fifth year of the pontificate of our most holy lord Pius IV., by the providence of God, Pope, the most reverend my lords the Cardinals Morone and Simonetta, lately returned from the sacred Council of Trent, whereat they had presided as legates of the Apostolic See, did, in a secret consistory, held at St. Peter's, petition our said most holy lord as follows:

Most blessed Father; in a decree concerning the closing of

the œcumenical Council of Trent, published the day before the nones of December[p] *last, it was ordained, that, through the legates and presidents of your Holiness, and of the holy Apostolic See, confirmation should be requested from your Holiness, in the name of the said council, of all and each of the said things which were therein decreed and defined, as well under Paul III. and Julius III., of happy memory, as under your Holiness. Wherefore, we, John, Cardinal Morone, and Louis, Cardinal Simonetta, who were then legates and presidents, wishing to execute what was settled in that decree, do humbly petition in the name of the said œcumenical Council of Trent, that your Holiness would vouchsafe to confirm all and each of the things which have therein been decreed and defined, as well under Paul III. and Julius III., of happy memory, as under your Holiness.*

Upon hearing which, his Holiness, having regarded and read the tenor of the said decree, and having taken the votes of the most reverend lords the cardinals, replied in these words:

Acceding to the petition made to us by the legates aforesaid, in the name of the œcumenical Council of Trent, touching the confirmation thereof, We, with apostolic authority, and with the counsel and assent of our venerable brethren the cardinals, having previously held mature deliberation with them, do confirm all and each of the things which have been decreed and defined in the said council, as well under Paul III. and Julius III., of happy memory, as during the time of our pontificate; and we command that the same be received and inviolably observed by all the faithful of Christ; In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

So it is. *A. Cardinal* FARNESE,
Vice-Chancellor.

BULL OF OUR MOST HOLY LORD PIUS FOURTH, BY THE PROVIDENCE OF GOD POPE, TOUCHING THE CONFIRMATION OF THE ŒCUMENICAL (AND) GENERAL COUNCIL OF TRENT.

PIUS, bishop, servant of the servants of God, for the perpetual memory hereof.

Blessed be God, even the Father of our Lord Jesus

[p] December 4th.

Christ, the Father of mercies, and the God of all comfort,[q] who, having vouchsafed to look down upon His holy Church, agitated and harassed by so many storms and tempests, and whilst it was every day more grievously distressed, hath at length given relief thereunto by a suitable and wished-for remedy. To extirpate very many and most pernicious heresies, to correct manners, and to restore ecclesiastical discipline, to procure the peace and concord of the Christian people, an œcumenical and general council had been, a long time since, indicted by our predecessor, Paul III., of pious memory, and had been begun by holding several sessions. Having been by his successor recalled to the same city, the council, after several sessions had been celebrated, could not, on account of various impediments and difficulties which occurred, be even then brought to a conclusion: it was, therefore, for a long time interrupted, not without the greatest grief on the part of all pious persons, whilst the Church daily more and more implored that remedy. But we, after having entered upon the government of the Apostolic See, undertook to accomplish so necessary and salutary a work, even as our pastoral solicitude admonished us; with confidence in the Divine mercy, and aided by the pious earnestness of our most beloved son in Christ, Ferdinand, emperor elect of the Romans, and by that of other Christian kings, republics, and princes, we have at length attained to that which we have not ceased to toil for by daily and nightly cares, and which we have assiduously besought of the *Father of lights.*[r] For whereas a most numerous assembly of bishops and of other distinguished prelates, and one worthy an œcumenical council, had, upon being convoked by our letters, and impelled also by their own piety, assembled together from all sides out of the nations of Christendom, at the said city; besides very many other persons of piety, men pre-eminent for skill in sacred letters, and knowledge of divine and human law; the legates of the Apostolic See presiding in the said synod; ourselves so favourable to the liberty of the council, that we, even by letters written to our legates, had voluntarily left the said council free to determine touching matters properly reserved for the Apostolic See; such things

[q] 2 Cor. i. 3. [r] James i. 17.

as remained to be treated of, defined, and ordained, touching the sacraments and other matters, which seemed to be necessary for confuting heresies, abolishing abuses, and amending morals, were by the sacred and holy synod, with the greatest liberty and diligence, treated of, and accurately and with the utmost deliberation defined, explained, and ordained. Which things being completed, the council was brought to a close with so great unanimity on the part of all who assisted thereat, that it was evident that such agreement was brought about by the Lord, and it was very wonderful in our eyes, and those of all. For which so singular a gift of God, we straightway indicted solemn processions in this noble city, which were celebrated with great piety by the clergy and the people; and we took care that the thanksgivings so justly due should be paid to the divine majesty; forasmuch as the issue of that council has brought with it a great and almost certain hope that greater fruits will daily be derived unto the Church from the decrees and constitutions thereof. And whereas the said holy synod, in its reverence towards the Apostolic See, and adhering also to the footsteps of the ancient councils, has, in a decree made on that subject, in public session, requested of us the confirmation of all its decrees, passed in our time and that of our predecessors; We being acquainted with the request of the said synod, first by the letters of our legates, then, after their return, by what they diligently reported in the name of the synod; after mature deliberation held thereon with our venerable brethren, the cardinals of the holy Roman Church; and, above all, having invoked the assistance of the Holy Spirit; after that we had ascertained that all those decrees were Catholic, and useful and salutary to the Christian people, We, to the praise of Almighty God, with the counsel and assent of our brethren aforesaid, have this day, in our secret consistory, confirmed by apostolic authority all and each of those decrees, and have ordained that the same be received and observed by all the faithful of Christ; as also, for the clearer information of all men, We do, by the tenor of this letter, confirm them, and ordain that they be received and observed. Moreover, in virtue of holy obedience, and under the penalties appointed by the sacred canons, and others more grievous, even those of depriva-

tion, to be inflicted at our discretion, We do also command all and each of our venerable brethren, the patriarchs, archbishops, bishops, and all other prelates soever of the churches, of what estate, grade, order, and dignity soever they may be, even though they be distinguished with the honour of the cardinalate, that they observe diligently the said decrees and statutes in their churches, cities, and dioceses, both within and without their courts of justice, and that they cause the same to be inviolably observed, each by his own subjects, in so far as in any way concerns them; silencing gainsayers and the contumacious, by means of the sentences, censures, and ecclesiastical penalties also contained in the said decrees; even calling in, if need be, the help of the secular arm. And, by the bowels of the mercy of our Lord Jesus Christ, We admonish and conjure our said most beloved son the emperor elect, and the other Christian kings, republics, and princes, that with the same piety with which they assisted, by their ambassadors, at the council, with that same piety and equal zeal, for the sake of the divine honour, and the salvation of their people, in reverence also of the Apostolic See, and the sacred synod, to support, when there be need, with their aid and countenance, the prelates in executing and observing the decrees of the said council; and that they do not permit opinions adverse to the sound and salutary doctrine of the council to be received by the people under their sway, but utterly interdict them. Furthermore, in order to avoid the perversion and confusion which might arise, if each one were permitted, as he might think fit, to publish his own commentaries and interpretations on the decrees of the council; We, by apostolic authority, forbid all persons, as well ecclesiastics, of what order, condition, and rank soever they may be, as laymen, with what honour and power soever invested; prelates to wit, under pain of being interdicted from entering the church, and all others, whosoever they be, under pain of excommunication incurred by the fact,[a] that they presume, without our authority, to publish, in any form, any commentaries, glosses, annotations, scholia, or any kind of interpretation soever touching the decrees of the said council; or to settle any-

[a] Latæ sententiæ.

thing in regard thereof, under any plea soever, even under pretext of greater corroboration of the decrees, or the execution thereof, or under any other colourable pretext soever. But if anything therein shall seem to any one to have been expressed and ordained obscurely, and it shall, on that account, appear to stand in need of an interpretation or decision, let him *go up to the place which the Lord hath chosen*;[t] to wit, to the Apostolic See, the mistress of all the faithful, whose authority the holy synod also has so reverently acknowledged. For if any difficulties and controversies shall arise touching the said decrees, We reserve them to be by us explained and decided, even as the holy synod has itself in like manner decreed; being prepared, as that [synod] has justly expressed its confidence in regard of us, to provide for the necessities of all the provinces, in such manner as shall seem to us most convenient; decreeing that whatsoever may be attempted to the contrary touching these matters, whether wittingly or unwittingly, by any one, by what authority soever, is, notwithstanding, null and void. And to the end that these things may come to the knowledge of all men, and that no one may be able to use the excuse of ignorance; We will and ordain, that in the Vatican Basilica of the prince of the apostles, and in the Lateran church, at the time when the people is wont to assemble there in order to be present at the solemnization of masses, these letters be publicly read in a clear tone by certain officers of our court; and that after they have been read, they be affixed to the doors of those churches, and also to the gates of the Apostolic Chancery, and to the usual place in the Campo di Fiore; and be left there for some time, to be read by, and to come to the knowledge of all men. But when they shall be removed thence, copies being, according to custom, left in those same places, they shall be committed to the press in our noble city, that so they may more conveniently be made known throughout the provinces and kingdoms of the Christian name. And we command and decree, that without any doubt, faith be given to copies thereof, which are written or subscribed by the hand of a public notary, and guaranteed by the seal and

[t] Deut. xvii. 8.

signature of some person constituted in ecclesiastical dignity. Let it be lawful, therefore, for no one to infringe this our letter of confirmation, admonition, inhibition, reservation, will, mandate, and decree, or with rash daring go contrary thereunto. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of his blessed apostles Peter and Paul. Given at Rome, at St. Peter's, in the year of the Lord's incarnation! one thousand five hundred and sixty-four, on the seventh of the calends of February,[u] in the fifth year of our pontificate.

THE BULL OF OUR SACRED LORD PIUS, BY DIVINE PROVIDENCE FOURTH POPE,

TOUCHING THE DECLARATION OF THE TIME TO OBSERVE THE DECREES OF THE SACRED ŒCUMENICAL AND GENERAL COUNCIL OF TRENT.

PIUS, bishop, servant of the servants of God, to the perpetual memory hereof.

As the authority and confirmation of the Apostolic See both ought, and is wont to ratify the decrees and canons of the sacred councils; so, any doubt which may have arisen regarding them is to be removed by the judgment and declaration of the same see. It has reached our ears, that there are many who entertain doubts from what period the decrees of the sacred general Council of Trent, those at least regarding reform and positive law, began to be binding on those to whom they appertain, those of them especially which preordain certain times for holding provincial and diocesan synods, for undertaking holy orders, for making religious profession, for resigning parish churches and other ecclesiastical benefices, the retention of which has been forbidden by the decrees of the same council, and for the execution of several matters of this kind, and all other matters regarding the aforesaid reform and positive law only, as to what ought to be observed or avoided. To the end, therefore, that all controversy and doubt may be removed, we have thought fit, of our own proper motion, that this matter should be clearly set forth, even as we deemed to be agree-

[u] January 26th.

able to reason, law, and equity. For though the decrees of the council itself, even according to the counsel and assent of our venerable brethren the cardinals of the holy Roman Church, were confirmed by us in our secret consistory towards the end of the month of January, and even from that time began to be observed at this Holy See; because, however, not a little time was necessarily consumed in printing them carefully and correctly at Rome, and it was also ratified by common right, that the new constitutions should not possess their full force until after a certain period,—it seemed to us meet and just, that all the aforesaid decrees, those at least regarding the said reform and positive law, had commenced to be binding on all from the calends of last May,[w] and that after that day the excuse of no one soever, that he was ignorant of them, is to be admitted: and accordingly we declare and define by apostolical authority, and we command and ordain that it ought to be judged so by all; decreeing as null and void any contrary judgment held by any other person, no matter what station, authority, and power he may possess; any apostolical constitutions and ordinations and other regulations to the contrary notwithstanding. Be it lawful, therefore, for no person soever to infringe this page of our declaration, definition, mandate, statute, and decree, or by rash presumption to contravene it. But if any one shall presume to attempt it, be it known to him that he will incur the indignation of Almighty God, and of his blessed apostles Peter and Paul. Given at Rome, at St. Peter's, in the year of the incarnation of our Lord 1564, on the 15th of the calends of August,[x] the fifth year of our pontificate.

FED. CARD. CAESIUS,
CAE. GLORIERIUS.
H. CUMYN.

Registered before Cæsar, Secretary, in the year from the nativity of our Lord 1564, on the seventh indiction, on the 20th day of the month of July, in the fifth year of the pontificate of our most holy father in Christ, and of our lord, Lord Pius, by divine providence Pope IV., the rescript letter was affixed, read, and published

[w] May 1st. [x] July 18th.

on the doors of the palaces of the prince of the apostles, and of Saint John of Lateran, and likewise of the Apostolic chancery, and in the Campo di Fiore, by us James Carra, and Julius Parinus, ushers[y] of our holy lord the Pope.

ANTONIUS CLERICI, *Master of the Ushers.*

MOTUS PROPRIUS OF OUR HOLY LORD PIUS, BY DIVINE PROVIDENCE FOURTH POPE.

EIGHT CARDINALS ARE DEPUTED TO ENFORCE THE OBSERVANCE OF THE CONSTITUTIONS AND ORDINANCES SET FORTH BY PIUS IV., AS ALSO THE DECREES OF THE SACRED ŒCUMENICAL AND GENERAL COUNCIL OF TRENT.

PIUS IV., pope.

Of our own proper motion, &c. We have elsewhere issued some other constitutions and ordinances, concerning the reformation of the pœnitentiarius major and of our sacred penitentiary, of our vicar, and of his office, as also of the chamberlain and the apostolic chamber, and of the causes assigned to that auditor, and also of the auditors of the causes of the apostolic palace, and of the governor, and of the courts of the Capitol, and of the courts of appeal and other tribunals of our noble city, and of the Roman court, which, however (as we have ascertained), are not observed with sufficient care by the prefects and officials of the said officers and tribunals. But whereas it is our most earnest wish, that those, and in like manner the decrees of the sacred Council of Trent, should be absolutely observed by the same in those matters regarding their offices: for that reason we, considering that it is not enough to grant laws, unless there be those who may take care that they be put in force, and in the matters aforesaid, even as we are bound by what is due to the pastoral office enjoined on us (how undeserving soever we may be), to take wholesome and use useful precautions, and wishing that the aforesaid constitutions and ordinances, and decrees of the council, such as we here wish them to be held as expressly indicated, be inviolably observed: we commit and intrust to our venerable brethren, [the cardinals] John Morone, bishop of Tusculum, John

[y] Cursores.

Michael Saracenus, of St. Anastasia, Giovanni Battista Cicada, of St. Clement, Michael Alexandrinus, of St. Sabina, Clement of Saint Mary *in Ara Cœli*, Louis Simoneta, of St. Cyriacus at Thermæ, Carlo Borromœus, of Saint Martin on the Mounts, all priests, and further to Vetellotius, cardinal-deacon of Saint Mary in the portico of Vitellius, to the end that they themselves, or the majority of them, conjointly or separately, by their free will, and even as executors of the aforesaid letters, constitutions, and decrees, may cause the constitutions and ordinances and decrees aforesaid, according to their tenor, and that of the letters sent forth to this effect, to be observed steadfastly and effectually, through all the judges and officials of the courts of penitentiary,[a] vicariate,[b] of the chambers and the aforesaid tribunals, under the penalty of excommunication to be thereby incurred, and deprivation of offices, and other such [penalties] as may seem fit to the same cardinals, even pecuniary mulcts to be incurred by the same fact (unless in the execution as well of the aforesaid decrees of the council, as of our letters already mentioned, some doubt or difficulty shall have arisen, in which case they may refer to us), even the aid of the secular arm being called in, if need shall be, and let them take care, announce, decree and declare, as we by these presents[c] denounce, decree, and declare, that those who shall not comply with the aforesaid letters and decrees, and the commands of the same cardinals, from the present time, as from the same day, being deprived of such offices, and also considered as unfit in future to obtain those and other offices of the Roman court, and they themselves being thus deprived of the offices, [let them take care, announce, decree, and declare, as we do,] that those offices being vacant by privation, be sold by our datarius,[d] and may be purchased

[a] *Pœnitentiaria:* the Roman tribunal over which an ecclesiastic presided, called the *Pœnitentiarius major*. To this functionary was assigned the office of deciding cases *reserved* for the bishops. The dignity is said to have been instituted in cathedral churches by the Council of Trent, Sess. xxiv. cap. 8, Sess. xiv. cap. 7. See Du Cange, Gloss. s. v. *Pœnitentiarius major*.

[b] See Du Cange, vol. vi. p. 1549, sqq. [c] Harum serie.

[d] The datarius is the chief officer of the Roman chancery, always a prelate, and sometimes a cardinal, so called from the letters issued, to

freely and lawfully by any proper persons soever at a suitable price, by our authority; notwithstanding any constitutions and apostolical ordinances soever, and the statutes of the penitentiary, and courts, as also of the aforesaid tribunals, even though strengthened by an oath, &c.; [notwithstanding also] all privileges, indults, and apostolic letters granted to them, and to the aforementioned officials and tribunals under any tenor or forms soever, and with what clauses, and decrees soever, even by a *motus proprius* or after any other manner. By all which, &c., we this time most absolutely abrogate their tenor, &c., and we desire that they should not be, by any means, valid in opposition to what is here set forth.

Thus it seems good to us by our first special motion.

Given at Rome, at Saint Mark's, on the 4th nones of August,[e] in the fifth year.

THE BULL OF OUR HOLY LORD, THE LORD PIUS, BY DIVINE PROVIDENCE FOURTH POPE,

TOUCHING THE FORM OF THE OATH OF THE PROFESSION OF FAITH.

Pius, bishop, servant of the servants of God, for the perpetual memory hereof.

The office of apostolic servitude enjoined on us requires, that those matters, which Almighty God has vouchsafed divinely to inspire into the minds of the holy fathers assembled in his name for the provident guidance of his Church, we should hasten unhesitatingly to execute, unto his praise and glory. Whereas, therefore, according to the resolution of the Council of Trent, all who may happen henceforward to be placed over cathedral and superior churches, or who may have to take care respecting their dignities, canonries, and any other ecclesiastical benefices soever having the cure of souls, are bound to make a public profession of the orthodox faith, and to promise and swear that they will continue in obedience to the Church of Rome: We, willing that the same thing be observed likewise by all

which he adds the form, "given at Rome," &c. Du Cange, vol. ii. p. 1313.

[e] Aug. 2nd.

persons soever, who shall have the charge of monasteries, convents, houses, and any other places soever, of all regular orders soever, even of military ones, under what name or title soever, and besides, to the end that the profession of one and the same faith be uniformly exhibited by all, and that one only, and a certain form of it be made known unto all, we, [willing] that a want of our solicitude should by no means be felt by any one in this particular, by strictly prescribing the tenor of these presents, we, by virtue of our apostolic authority, command, that the form itself be published, and be received and observed everywhere by those whom it concerns; in consequence of the decrees of the council itself, as well as the other parties aforesaid, and that the aforesaid profession be made solemnly according to this, and no other form, under the penalties enacted by the council itself against all contravening, under the following terms:—

I, N. with steadfast faith believe and profess all and every particular contained in the symbol of faith, which the Holy Roman Church uses, to wit: "I believe in one God the Father Almighty, maker of heaven and earth, of all things visible and invisible; and in one Lord Jesus Christ, the only begotten Son of God, and born of the Father before all ages, God of God, light of light; very God of very God, begotten not made, consubstantial with the Father; by whom all things were made; who for us men and for our salvation came down from heaven, and was incarnated of the Holy Ghost from the Virgin Mary, and was made man; was crucified also for us under Pontius Pilate, suffered, and was buried; and rose again on the third day according to the scriptures, and ascended into heaven, sitteth at the right hand of the Father, and will again come with glory to judge the living and the dead, of whose kingdom there shall not be an end; and in the Holy Ghost, the Lord, and giver of life, who proceeds from the Father and the Son; who together with the Father and Son is adored and glorified; who spake through the prophets; and one Holy Catholic and Apostolic Church. I confess one baptism for the remission of sins, and I await the resurrection of the dead, and the life of the world to come. Amen." The apostolical and ecclesiastical traditions, and the other observances and constitutions of the same Church, I most steadfastly

admit and embrace. I likewise admit the Holy Scripture according to that sense which our Holy Mother Church has held and does hold, whose province it is to judge of the true sense and interpretation of the sacred scriptures. Nor will I ever understand or interpret it, except according to the unanimous consent of the holy fathers. I also profess that there are truly and properly seven sacraments of the new Law instituted by our Lord Jesus Christ, and necessary for the salvation of mankind, though not all necessary to each individual; to wit, Baptism, Confirmation, the Eucharist, Penance, Extreme Unction, Orders, and Matrimony, and that they confer grace, and that of these, Baptism, Confirmation, and Orders cannot be reiterated without sacrilege. I also receive and admit all the received and approved ceremonies of the Catholic Church in the solemn administration of all the above-mentioned sacraments. I embrace and receive all and everything which in the holy Synod of Trent has been defined and declared concerning original sin and justification. I profess likewise that in the Mass is offered to God a true, proper, and propitiatory sacrifice for the living and the dead, and that in the most holy sacrament of the Eucharist there is truly, really, and substantially the body and blood, together with the soul and divinity, of our Lord Jesus Christ, and that there takes place a conversion of the entire substance of the bread into the body, and of the entire substance of the wine into the blood, which conversion the Catholic Church calls transubstantiation. I also confess that under one kind alone, Christ is taken whole and entire, and a true sacrament. I steadfastly hold that there exists a purgatory, and that the souls there detained are assisted by the suffrages of the faithful; in like manner also that the saints reigning along with Christ are to be venerated and invoked, and that they offer up prayers for us, and that their relics are to be venerated. I steadfastly assert that the images of Christ and of the ever Virgin Mother of God, and in like manner of other saints, are to be kept and retained, and that due honour and veneration is to be awarded to them; I also maintain that the power of indulgences has been left by Christ in his Church, and that the use of them is most wholesome to the Christian people. I recognize the Holy Catholic and Apostolic Roman Church as the mother and mistress of all churches; and I promise and

swear true obedience to the Roman pontiff, successor of St. Peter, prince of the apostles, and vicar of Jesus Christ. All other things also delivered, defined, and declared by the sacred canons and œcumenical councils, and particularly by the holy Synod of Trent, I undoubtingly receive and profess, and at the same time all things contrary, and any heresies soever condemned by the Church, and rejected and anathematized, I, in like manner, condemn, reject, and anathematize. This true Catholic faith, outside of which no one can be saved, which at present I readily profess and truly hold, I, N. promise, vow, and swear, that I will most steadfastly retain and confess the same entire and undefiled to the last breath of life (with God's help), and that I will take care, as far as shall be in my power, that it be held, taught, and preached by my subjects, or those whose charge shall devolve on me in virtue of my office. So help me God, and these holy gospels of God.

But we will that the present letter be read according to custom in our Apostolic chancery. And that they may the more readily be open to all, let them be written out in its Quinternum,[f] and also be printed.

Be it, therefore, lawful for no person soever to infringe this page of our will and command, or to contravene it by any rash daring. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of his blessed apostles Peter and Paul. Given at Rome, at St. Peter's, in the year of the incarnation of our Lord 1564, on the ides of November, and in the fifth year of our pontificate.

FED. CARDINAL CAESIUS.
CAE. GLORIERIUS.

The above-written letter was read and published at Rome in the Apostolic chancery, in the year of the incarnation of our Lord 1564, on the Sabbath, 9th of the month of December, in the fifth year of the pontificate of our most holy father and lord in Christ, Pius IV. Pope.

A. LOMELLINUS, *Custos.*

[f] The quinternum, or quinterino, was a volume, so called from the number of leaves it contained. See examples in Du Cange, vol. v. p. 1077.

BULL OF OUR HOLY LORD PIUS IV., BY DIVINE PROVIDENCE POPE.

THE PRIVILEGES, EXEMPTIONS, IMMUNITIES, FACULTIES, DISPENSATIONS, CONSERVATORIES, INDULTS, ETC., TO WHAT PLACES AND PERSONS SOEVER CONCEDED, IN THOSE PARTICULARS WHEREIN THEY ARE AT VARIANCE WITH THE STATUTES AND DECREES OF THE HOLY COUNCIL OF TRENT, ARE REVOKED.

PIUS, bishop, servant of the servants of God, for the perpetual memory hereof.

Appointed to the see of the prince of the apostles, how inferior soever in deserts, we can do nothing either more wholesome for the universal Church committed unto our care and solicitude, or more becoming the office of the apostolic service enjoined on us, than [to take care that] the œcumenical Council of Trent, as it has, chiefly under our auspices, terminated happily, and amid the greatest unanimity of the holy fathers, through the mercy of God, so by the ministry of our care it may be everywhere received by all who are reputed for Christian piety, and, all obstacles removed, be equally observed by all. Whereas, therefore, very many decrees and statutes of a wholesome nature, and extremely conducive to the universal reformation of morals, have been put forth in the said council, preceded by the matured examination of those present, to which many and different privileges, exemptions, immunities, dispensations, faculties, conservatories, indults, and confessionals, as they call them, and the great sea,[g] and other graces, which have been granted to various cathedral, metropolitan, as well as to collegiate churches, monasteries, convents, and other religious houses and orders, even to those of mendicant brethren, and also to those of the Holy Ghost in Saxia, of St. John of Lateran, and of the Incurables of the City, of St. Anthony of Vienna, and of St. Bernard of Jura, and other hospitals, military orders, and their chapters and convents, and universities, even to colleges of general studies, as well secular as ecclesiastic, to confraternities,

[g] Cf. Concil. Lat. V. Sess. xi. p. 1835. "Seu aliquod præmissorum eisdem ordinibus concessis, etiam in mari magno contentis." This name was applied to a specific bull. See the indexes to Harduin's Concilia, and Thomasinus de Disciplina Ecclesiastica.

societies, and as well to buildings of the prince of the apostles of the city, as to other manufactories, those of the holy cross, and other pious places and works, as also to patriarchs, archbishops, bishops, prelates, abbots, abbesses, priors, provosts, and to other ecclesiastics as well seculars as regulars of different orders and military services, and even to lay persons of what dignity and state and degree soever, and of distinction, and also to persons of both sexes distinguished by ducal, royal, and imperial dignity, and also to some notaries, and also to legates *de latere* and nuncios, as well perpetual as temporary, by several Roman pontiffs our predecessors, and ourselves and the Apostolic See and its legates, even by our own proper motion, and with the certain knowledge and out of the fulness of the apostolic power, or even with the contemplation and in the sight of emperors, kings, dukes, and other princes, in various ways, and at different periods, generally or specifically, under any even fair pretext, and also have been confirmed or renewed several times, are in most particulars opposed: We, to whom it is especially at heart, that so holy and most wholesome decrees of the Church of God should, as is meet, everywhere obtain their due effects, and be observed obediently by all, holding by these presents as sufficiently expressed and fully inserted, the tenor of the privileges, exemptions, immunities, faculties, conservatories, indults, confessionals, the great sea, and the other graces aforesaid, and of all apostolic and other letters soever drawn up thereon, and of processes and decrees and whatever else have followed from them, as if they were inserted word for word, by our proper motion, and from our certain knowledge, and from the fulness of the apostolic power, by the apostolic authority, by the tenor of these presents declare, and even decree and ordain, that the same privileges, all and every one of the exemptions, immunities, faculties, dispensations, conservatories, indults, confessionals, the great sea, and other graces in each and every point in which they are at variance with the statutes and decrees of the council, are by right revoked, made null and void, and reduced to the terms and limits of the council itself, and should be considered as such, and that nothing is in any respect to support them in opposition to the decrees and statutes themselves, so that they should not be observed

everywhere and among all, but that they ought to be held and accounted as though they had never gone forth. Decreeing, nevertheless, that all and every one of those particulars which were transacted and done in any manner soever, and shall for the future be done by virtue of privileges, exemptions, immunities, and dispensations, faculties, conservatories, indults, confessionals, and any other boons soever of this kind, after the time when the council began to be binding, are and are deemed to be, null, void, and invalid in those points in which they are opposed to the decrees of the aforesaid council, and that they can and ought to support no one, however circumstanced or qualified he may be, as well in the *forum fori*,[1] as they say, as in the *forum conscientiæ*, and that it ought to be so judged and defined in both forums by all the ordinaries of the several places whatsoever, and the other judges and commissaries whatsoever exercising authority, likewise by the cardinals of the holy Roman Church, the power of judging otherwise being taken from them, and from any of them, and whatever may happen knowingly or ignorantly to be attempted by any one, of what authority soever, we decree to be null and void; notwithstanding what may have preceded, and the apostolic constitutions and ordinances, and other contrary [enactments]. Wherefore let it be lawful for no one soever to infringe this page of our declaration, statute, ordinance, and decree, or by rash daring to contravene it. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of his blessed apostles Peter and Paul.

Given at Rome, at Saint Peter's, in the year of the incarnation of our Lord 1565, the 13th of the calends of March, and the sixth year of our pontificate.

CAE. GLORIERIUS,
P. BISHOP OF NARNT.
H. CUMYN.

In the year from the nativity of our Lord 1565, on the 6th indiction, on the 24th day of February, in the sixth year

[1] *I. e.* the real court of justice, opposed to the supposed one of conscience. The phrase "forum pœnitentiæ" is also in use. Cf. Du Cange, vol. iii. p. 654.

of the pontificate of our most Holy Father in Christ and our lord Pius IV., by divine providence Pope, the apostolic rescript was affixed and published in the Campo di Fiore, and on the doors of the Apostolic chancery, by us, Niccolo de Mattheis and Camillo Cherubini, ushers of our holy lord the Pope.

PHILIBERTUS PHAPUIS, *Master of the Ushers.*

CONCERNING PROHIBITED BOOKS.

TEN RULES DRAWN UP BY THE FATHERS SELECTED BY THE SYNOD OF TRENT AND APPROVED BY POPE PIUS IV.

RULE I.

LET all the books which before the year 1515 were condemned, whether by the sovereign pontiffs or by œcumenical councils, and are not in this index, be considered to be condemned after the same manner as they were formerly condemned.

RULE II.

The books of arch-heretics, as well of those who invented or excited heresies after the year above mentioned, as of those who are or were the heads or leaders of heretics, such as Luther, Zuinglius, Calvin, Balthazar, Pacimontanus, Swenchfeldius, and such like, of what name, title, or argument soever, are utterly prohibited. And the books of other heretics, such as professedly treat of religion, are altogether condemned. But such as do not treat of religion are permitted, after having been examined and approved by Catholic theologians, by order of the bishops and inquisitors. But Catholic books written as well by those who have afterwards fallen into heresy, as by those who after falling have returned to the bosom of the Church, being approved by the theological faculty of some Catholic University or by a general inquisition, may be permitted.

RULE III.

Versions also of ecclesiastical writings, which have hitherto been set forth by condemned authors, provided they contain

nothing against sound doctrine, are permitted. But versions of the books of the Old Testament may be allowed only to learned and pious men at the discretion of the bishop, provided they use such versions as elucidations of the Vulgate to understand the sacred scripture, but not as the sound text. But let versions of the New Testament, made by authors of the first class of this index, be allowed to no one, because but little utility, but very much danger is to flow from their perusal. But if any annotations are made public with such versions as are permitted, or with the Vulgate edition, the suspected passages being expunged by the theological faculty of any Catholic University, or by a general inquisition, they may be allowed to the same persons, to whom the versions also [were permitted]. On which conditions the entire volume of Biblia, which is commonly called the Bible of Vatablus, or parts of it, may be granted to pious and learned men. But, from the Bible of Isidore, let the prologue and prolegomena of Clarius Brixianus be cut out; but let no one consider the text of it as the text of the Vulgate edition.

Rule IV.

Whereas it is evident from experience, that, if the sacred books be permitted in the vulgar tongue indiscriminately, more harm than utility arises therefrom by reason of the temerity of men, in this respect let it depend on the discretion of the bishop or inquisitor, so that with the counsel of the parish priest or the confessor, they can grant to them the reading of the books translated by Catholic authors in the vulgar tongue, such persons as they may consider may derive not injury, but an increase of faith and of piety from such reading; which power they may have with respect to the scriptures. But whosoever shall presume to read them without such power, let him not be able to obtain absolution of his sins, unless he has first given back the books to the ordinary. But the booksellers, who shall sell the Bible written in the vulgar tongue, to a person not having the aforesaid power, or shall in any other way grant it, is to lose the price of the books, which shall be converted by the bishop to pious purposes, and they shall be subject to other penalties, according to the quality of the offence, at the dis-

cretion of the same bishop. But regulars are not to have the power of reading or buying them, unless they have power to do so from their prelates.

Rule V.

Those books, which sometimes come forth as the works of heretical authors, in which they set down little or nothing of their own, but collect the words of others; such as lexicons, concordances, apophthegms, similes, indexes, and such like, should they contain any matter mixed with them, which may require expurgation, those matters being first taken away or corrected by advice of the bishop or inquisitor together with the advice of Catholic theologians, may be permitted.

Rule VI.

Books treating in the vulgar idiom of controversies between Catholics and the heretics of our time, are not to be allowed indiscriminately; but let the same thing be observed with regard to them as has been ordained respecting Bibles written in the vulgar tongue. But there is no reason why books written in the vulgar tongue on the subject of living well, of contemplating, confessing, and such subjects, if they contain sound doctrine, should be prohibited; the same may be said of popular sermons in the vulgar tongue. But if in any kingdom or province any books have been prohibited, because they contained some things which it would not be expedient should be read by all without selection, if their authors are Catholic, after they have been emended, they may be permitted by the bishop and the inquisitor.

Rule VII.

Books which professedly treat of, relate, or teach lascivious or wanton subjects, since regard must be had not only of faith, but of morals also, which are wont readily to be corrupted by the reading of such books, are absolutely prohibited, and those who may possess them are to be severely punished by the bishops. But the ancient books written by the heathens, are permitted by reason of the elegance and propriety of their language; on no account, however, are they to be used by boys in their lessons.

Rule VIII.

Books, whose prominent subject is good, in which, however, some things are incidentally inserted, which have a tendency to heresy or impiety, divination or superstition, may be allowed, when expurgated by Catholic theologians, by the authority of a general inquisition. Let the same judgment be formed touching prologues, summaries, or annotations, which have been annexed by condemned authors to books not condemned. But let them afterwards not be printed unless emended.

Rule IX.

All books and writings in geomancy, hydromancy, aeromancy, pyromancy, oneiromancy, chiromancy, necromancy, or those in which drawing lots, sorceries, auguries, auspices, incantations of the magic art are contained, are altogether rejected. But let the bishops carefully see, that books, treatises, indices of judicial astrology be not read or kept, which dare to affirm something certain as likely to happen regarding future contingent successes, or fortuitous casualties, or those actions which depend on the human will. But judgments and natural observations are allowed, which are written for the purpose of aiding navigation, agriculture, or the medical art.

Rule X.

In the printing of books or other writings, let that which was enacted in the Council of Lateran under Leo X., Session 10, be observed. Wherefore, if in the noble city of Rome any book is to be printed, let it be first examined by the vicar of the supreme pontiff, and the master of the sacred palace, or by persons to be deputed by our most holy lord. But in other places, let the approbation and examination of it appertain to the bishop or another person acquainted with the book or writing to be printed, such person to be deputed by the same bishop, and an inquisitor of heretical depravity of that state or diocese in which the printing will take place, and under the penalties and censures contained in the same decree, let it be approved by their hand, to be imposed by their own subscription, gratuitously, and without delay, this law and condition being

added, that an authentic copy of the book to be printed, and one subscribed by the author's hand, should remain with the examiner; but those who publish manuscript treatises, unless they are first examined and approved, the deputed fathers have judged ought to be subjected to the same penalties as the printers; and those who may keep and read them, unless they give up the authors, are to be considered as the authors. But let the approbation itself be given in writing, and let it appear authentically in front of the book, whether written or printed, and let the proving and examination of the book, and all the rest be done gratuitously. Moreover, in each state and diocese, let the houses or places where the art of printing is practised, and the libraries of books for sale be frequently visited by persons to be deputed for the purpose by the bishop or his vicar, and also by the inquisitor of heretical depravity, so that none of those things which are prohibited, may be printed, or sold, or kept. But let all librarians and booksellers soever keep in their libraries a catalogue of the books for sale, which they possess, with the subscription of the aforesaid persons, and let them have or sell no other books, or by any means deliver them without the license of the same persons to be deputed, under pain of the loss of the books, and other penalties to be imposed at the discretion of the bishops or inquisitors. And let the buyers, readers, or printers of the same, be punished at the pleasure of the same. But if any persons shall introduce any books soever into any state, let them be bound to report them to the same persons to be deputed, or, if a public place has been appointed for such wares, let the public servants of such place intimate to the aforesaid persons that such books have been brought. But let no one dare to deliver a book which he himself or another has brought into a city, to any person to read, or in any way to transfer or lend it, unless he has first shown the book, and has had a license from the persons to be deputed, or, unless it be notoriously ascertained that the book is now permitted to all. Let the same thing, also, be observed by the heirs and executors of last wills, so that they offer books which have been left by deceased persons, or a list of them, to the persons to be deputed, and let them obtain license from them, before they use them or in any

way transfer them to other persons. But in all and each of these particulars, let the penalty be determined either of the loss of the books, or any other, according to the discretion of the same bishops or inquisitors, according to the nature of the contumacy or offence.

But regarding the books which the deputed fathers have examined or expurgated, or have delivered to be expurgated, or have allowed, on certain conditions, to be again printed; whatever appears to have been enacted by them, let booksellers, as well as others, observe. Let it, however, be optional with bishops or general inquisitors, according to the powers which they possess, to prohibit even those books which seem to be permitted by these rules, if they should judge this to be expedient in their kingdoms, or provinces, or dioceses. But the names as well of the books which have been expurgated by the fathers deputed, as of those to whom they assigned this province, have, by order of our most holy lord, been delivered, copied out by the secretary of the same deputed persons to the notary of the sacred universal Roman inquisition.

Finally, it is enjoined on all the faithful, that no one dare, contrary to the direction of these rules, or to the prohibition of this index, to read or keep any books. But if any one shall read or keep books of heretics, or the writings of any author condemned and prohibited for heresy, or for the suspicion of a false dogma, let him forthwith incur the sentence of excommunication. But, whoever shall read or keep books interdicted on any other pretext besides the guilt of deadly sin, with which he is affected, let him be severely punished at the discretion of the bishops.

THE BULL OF OUR HOLY LORD PIUS IV., BY DIVINE PROVIDENCE POPE.

APPROBATION OF THE INDEX OF PROHIBITED BOOKS, WITH THE RULES CONFIRMED BY THE FATHERS DEPUTED BY THE HOLY COUNCIL OF TRENT, AND THE PROHIBITION TO KEEP OR READ THESE BOOKS.

Pius IV., pope, for the future memory hereof.

Appointed over the protecting the Lord's flock by the disposition of the Lord, like unto a wakeful shepherd, we

cease not to guard the flock itself with the utmost care and diligence from imminent dangers, lest through our negligence the sheep may perish, which were redeemed by the most precious blood of our Lord Jesus Christ. But although those matters which appertain to lay open the truth of faith and to confute the heresies of modern times were so enucleated and defined in the œcumenical and general Council of Trent, by the influence of the grace of the Holy Ghost, that it is now easy for each person to distinguish sound and Catholic doctrine from that which is false and spurious; yet, whereas the reading of books published by heretics is wont not only to corrupt mere simple men, but also to lead learned and erudite men into various errors and opinions, foreign to the truth of the Catholic faith, for this matter, also, we deemed it necessary to provide.

But, knowing that the fittest remedy for that evil was, if an index or catalogue of the books which are either heretical, or suspected of heretical depravity, or at least, are injurious to morals and piety, were drawn up and published, we referred that matter to the sacred Synod of Trent: this [synod], out of so great a number of bishops and other most learned men, chose for drawing up that index many prelates distinguished as well for learning as judgment, from nearly all nations. They, indeed, perfected that index by God's help, not without the greatest labour and much watching; certain most distinguished theologians also being called in to the council. But, the council being over, when, in pursuance of the decree of the synod itself, that index had been presented to us, so that it should not be published before it had been approved by us, we delivered it to certain most learned and approved prelates, to be read over most carefully, and to be examined, and we ourselves read it.

When, therefore, we had ascertained that it had been drawn up with great study, keen judgment, and long care, and besides, most conveniently digested; we, desiring to consult for the salvation of souls, and for that reason to take care that no books and writings of any kind, which are disapproved in it either as heretical, or as suspected of heretical depravity, or as detrimental to piety and purity of morals, or at least, as requiring any correction, should here-

after be read by the faithful in Christ, by our apostolic authority do approve by these presents the index itself, together with the rules prefixed to it, and we command and decree that it be printed and published, and that it be received everywhere by all Catholic universities and all others soever, and that these rules be observed; prohibiting all and every one, as well ecclesiastical persons, secular and regular, of what grade, order, or dignity soever they may be, as lay persons endowed with any honour and dignity soever, that no one should dare to read or keep any books contrary to the prescriptions of these rules, and the prohibition of the index itself.

But if any one shall act in opposition to these rules and prohibition, he, indeed, who shall read or keep the books of heretics, or the writings of any author condemned and prohibited on account of heresy or the suspicion of false dogma, shall, by the very fact, fall under the penalty of excommunication, and for that reason it may be lawful to inquire into, and proceed against him as one suspected of heresy, besides the other penalties appointed for this by the Apostolic See and the sacred canons. But let him who shall read or keep books prohibited for any other cause besides the guilt of deadly sin, know that he is to be severely punished at the discretion of the bishops; notwithstanding any constitutions and ordinances soever to the contrary; or if an indult has been granted to any collectively or separately by the same see, so that they may not be excommunicated by apostolic letters, not making full and express and word for word mention of such indult.

But that these things may come to the knowledge of all men, and that no one may be able to make use of the plea of ignorance, we will and command, that these letters be read out openly and with a loud voice by some ushers of our court in the Vatican Basilica of the prince of the apostles, and in the Lateran church, at the time when the people is wont to be assembled therein, in order to be present at the solemn sacrifice of the masses, and after they have been read out, they be affixed to the doors of these churches, and also of those of the apostolic chancery, and in the usual place of the Campo di Fiore, and let them be left there for some time, that they may be read and become known to all. But

when they shall be removed thence, let copies of them remain affixed in the same places. But by this reading, publication, and affixing, we will that each and every person included in these letters, in three months, to be reckoned from the day of its publication and affixion, be [thereby] bound and obliged in the same manner as if they had been published and read out to themselves. To copies also of it, which copies have been written, subscribed by the hand of some public notary, and vouched for by the seal and subscription of some person constituted in ecclesiastical dignity, we command and decree that credit be attached without any doubt.

Given at Rome, at St. Peter's, under the seal of the Fisherman, on the 24th day of March, 1564, the fifth year of our pontificate.

ANTONIUS FLORABELLUS LAVELLINUS.

THE CONSTITUTIONS

TAKEN FROM THE ANCIENT LAW, AND NOTICED BY THE COUNCIL OF TRENT OR SPECIALLY CHANGED BY IT.

COUNCIL OF CARTHAGE.

From the first part of the Decretum, Dist. XLI. cap. 7.

(Sess. xxv. de ref. cap. 1.)

LET the bishop keep plain furniture and [a plain] table, and poor diet, and let him seek the authority of his dignity by faith and by merits of life. Let him also have a hospitium not far from the church.

COUNCIL OF CHALCEDON.

From the first part of the Decretum, Dist. LXX. cap. 1.

(Sess. xxiii. de ref. cap. 16.)

That no one be absolutely[h] ordained priest, or deacon, or any one constituted in ecclesiastical ordination, unless he who is ordained deserve the appellation of published ordination in the church of his city or estate, or in a martyrium, or in a monastery. But those who are absolutely ordained, the holy synod has decreed to have the imposition of hands

[h] *I. e.* without a title to orders.

unavailing, and that no such act tends to the injury of him who has ordained him.

ALEXANDER III. IN THE COUNCIL OF LATERAN.

From Book 1 of Decretals, tit. VI. on Election and the Power of the Elect, cap. 7.

(Sess. vii. de ref. cap. 1.)

Whereas in all sacred orders and ecclesiastical ministeries, maturity of age, gravity of morals, and knowledge of literature are to be inquired into, with much stronger reason ought these things to be inquired into in case of a bishop, who, placed in charge of others, ought to show in himself, after what manner it may be fitting that others should demean themselves in the house of God. On this account, lest what has been done regarding certain persons to meet the necessity of the time may be drawn by posterity into a precedent, we enact by the present decree, that no one be elected to the rank of a bishop who has not already passed the thirtieth year of life, and has been born from lawful wedlock; and, also, can be proved to be commendable in integrity of life and in knowledge.

ALEXANDER III.

Ibid. § Inferiora.

(Sess. xxiv. de reform. cap. 12.)

The inferior ministries, for instance the deanship, archdeaconship, and others which have the cure of souls annexed, let no one soever undertake, neither the government of a parochial church, unless he has already reached the twenty-fifth year of his age, and is to be recommended for knowledge and morals. But when he has been admitted, if an archdeacon, to a deacon, and the dean and others having been admonished, have not been ordained priests at the time prescribed by the canons, let them both be removed from that office, and let it be conferred on others, who may be both willing and able to fill it suitably. And let not the refuge of appeal avail them, if, perchance, to the transgression of that constitution, they should feel disposed to defend themselves by appeal. We enjoin this to be observed, if the canons do not oppose it, not only in the

case of persons to be promoted, but also regarding those who have been already promoted.

Alexander III. in the Council of Lateran.

From Book III. of the Decretals, tit. IV. of Non-resident Clergy, cap. 3.

(Sess. vii. de ref. cap. 3.)

Because some, setting no limits to their avarice, endeavour to obtain different ecclesiastical dignities, and several parish churches contrary to the institutes of the sacred canons, so that, whilst they scarcely suffice to discharge one office, they claim to themselves the emoluments of very many; we strictly forbid that that be done for the future. When, therefore, a church or an ecclesiastical office has to be disposed of, let such a person be sought for as will be able to reside on the spot, and to take the charge of it on himself. But if the matter should be otherwise, both let him who has received what he has accepted in violation of the sacred canons lose it, and let him who has conferred it, be deprived of the power of giving.

Alexander III.

From Book III. Decret., tit. XLVIII. on the Building or Repairing of Churches.

(Sess. xxi. de reform. cap. 4.)

Know that it has reached our ears that the demesne which is called H, is represented as being so far distant from the parish church, that, in the winter season, when the rains fall heavily, the parishioners cannot approach it without great difficulty; in consequence, they are not able to be present at their ecclesiastical duties at the proper time. Because, therefore, the aforesaid church is said to abound so greatly in revenues, that, besides the proceeds of that demesne, the minister of it is well able to have support, we command, that if matters are so, you build there a church, and place a priest therein, the obstacle of appeal being taken away, at the presentation of the rector of the greater church, with the canonical assent of the founder, which priest is to receive the ecclesiastical proceeds of the same demesne for his own support; taking care, however, that due honour in it be reserved for the mother church, according to the

ability of the place, which, indeed, seems to be possible, when the proprietor of the same demesne is willing to contribute twenty acres of good land for the uses of the priest. But if the parson of the mother church delay to present a proper individual, or shall be disposed to impede that measure, do you, nevertheless, see that the same measure be brought to perfection, and omit not to induct a worthy man, the refuge of appeal being taken away.

BONIFACE VIII.

From the Sixth of the Decretals, lib. 1, *tit. III. on Rescripts, cap.* 11.

(Sess. XXV. de reform. cap. 10.)

A statute, which we recently published concerning judges to be deputed by the Apostolic See, we have deemed it necessary to reform for the better by the present sanction, which we command to be observed without infringement, being urged to from regard to utility, because some things contained in it, which were supposed to have been introduced for the common interest (as experience showed), were discovered to possess a mischievous tendency. We therefore enact, that to none but those endowed with dignity, or holding a personate, or to canons of cathedral churches, causes touching the authority of letters of the Apostolic See, or its legates, be in future intrusted; and that they be heard nowhere else than in cities or remarkable places where access to skilful persons may readily be had.

BONIFACE VIII.

From the Sixth of the Decretals, lib. 3, *tit. II. concerning Married Clerks, cap.* 1.

(Sess. xxiii. de ref. cap. 6.)

Clerks, who have contracted with single persons and virgins, if they lay aside the tonsure and clerical garments, may retain the privilege of the canon issued by our predecessor, Innocent II., in favour of the entire clerical order. [L. c. 29, c.xvii. q. 4.] And whereas, according to the Council of Paris [c. 2, x. de foro comp. ii. 2], no clerk can be constrained or condemned by a secular judge, by our present edict we declare, that such clergy, being married, cannot, for excesses or offences committed by them, be forced, by a cri-

minal or civil indictment, before the secular seat of judgment, nor ought they to be, by any means, condemned by secular judges themselves, either in person or even in money (that there may not in one way be conceded to the same judges what is denied by another). But in all other cases, or unless, as it is premised, they lay aside the tonsure or clerical garments, even in the premised cases we are unwilling that they should enjoy the clerical privilege.

Boniface VIII.

From the Sixth of the Decretals, lib. 3, tit. III. of Clergy not residing in the Church or Prebend, cap. 1.

(Sess. xxiv. de ref. cap. 12.)

Entirely disapproving the custom, which has come in vogue in certain parts, according to which canons and other beneficed persons, or clergy of cathedral and other collegiate churches, enjoy daily distributions (which are otherwise named manual benefices, or victuals, and are bestowed only on residents), after what manner soever they may be present in the cities or other places in which the churches themselves stand, though they may not attend at the divine offices, precisely as if they officiated regularly in the same offices in the very churches, we decree, that these daily distributions, of what things soever they consist, be bestowed on the canons and other beneficed persons and clergy of the very churches, who may attend at the same offices in the churches themselves, according to the proportioned ordination of any church already made or even to be made. But whoever shall receive anything out of these distributions otherwise (excepting those who might be excused by infirmity, or a just and reasonable bodily necessity, or the evident interest of the Church), he is not to acquire the ownership of the things so received, nor is he to make them his own; nay, he is to be bound to a restitution of all that he has received contrary to this our constitution. Concerning the distributions also to be given away for the anniversaries of the dead, we decree that the same thing is to be observed.

BONIFACE VIII.

From the Sixth of the Decretals, lib. 3, tit. XVI. on the State of the Regulars, cap. 1.

(Sess. xxv. de regul. et monial. cap. 5.)

Desiring to make wholesome provision for the dangerous and detestable state of certain nuns (who, the reins of decency being released, and monastic modesty and respect for sex being shamefully cast aside, wander about, sometimes through the habitations of secular persons outside their own monasteries, and frequently admit suspicious persons within the same monasteries, to the grievous offence of Him to whom they have devoted their purity of their own free will, the opprobrium of religion, and the scandal of very many), by the present constitution, which is for ever to continue valid, we ordain, that all and every nun, present and future, of what profession and order soever they may be, in whatever parts of the world existing, ought for the future to remain under perpetual enclosure in their monasteries, so that no one of them who has professed religion tacitly or expressly is to have or can have, on any account or any pretext soever (unless it should perchance be evident that some of them evidently laboured under such a disease, that she could not reside with others without great danger or scandal), permission to leave their monasteries for the future, and that no person in any respect indecent, or even decent (unless there arise a reasonable and manifest cause, and according to the special license of him who may be concerned), is to have no ingress nor access to the same, so that, thus separated from all mundane and public sights, they may be more at liberty altogether to serve God, and, all opportunity of lasciviousness being taken away, they may be able more carefully to guard their hearts for the same and their bodies in all sanctity. And, indeed, that this salutary statute may more conveniently be observed, we strictly inhibit any females from being admitted for the future among the sisters in the monasteries of the non-mendicant orders, unless as many as can be supported without penury out of the goods or revenues of the monasteries themselves; decreeing whatever may be done otherwise to be null and void.

But when the abbess or prioress of any monastery shall have to do homage for the feud by which she holds the monastery from some prince or temporal lord, or to take an oath of fealty to him (unless that she may be able to do this through the proctor), she may in that case have liberty to leave her monastery with a seemly and becoming society, sure to return forthwith after the homage is done, or the oath of fealty has been taken, so that nothing soever may be done to the detriment of residence or of monasterial seclusion.

Furthermore, that nuns may have no cause or opportunity for straying about, we beg, require, and beseech, by the bowels of the mercy of Jesus Christ, of all secular princes and other temporal lords, still recommending the same persons (so to do) for the remission of sins, that they would suffer the abbesses and prioresses themselves, and all nuns soever, bearing charge of their monasteries, as also the administration and affairs of the same, under what names soever they may be styled, to conduct their litigations through the medium of proctors in their tribunals or courts, so that it may not be necessary that they should stray about instead of appointing proctors (who in some places are called attorneys[1]), or other such persons. But if any shall presume [to act] otherwise, refusing to comply with such reasonable and holy exhortation, as it is contrary to justice that women (especially religious women) should conduct lawsuits personally, and as it is swerving from the path of decorum, and involves the danger of souls, they should be forced to this (line of conduct) by ecclesiastical censure, through their own ecclesiastical ordinaries. But on the bishops and other prelates, superior and inferior, whoever they be, we enjoin, that they themselves shall see that the causes and transactions, which the aforesaid nuns shall have to manage, be carried on and managed in their own presence, or in the courts of the same, whether they be homages, oaths of fealty, lawsuits, or other matters, through the agency of their proctors.

And since it be not enough to establish laws, unless there

[1] Adornati.

were persons who would take charge of their being duly put in execution, we strictly command all patriarchs, primates, archbishops, and bishops collectively, in virtue of holy obedience, under the invocation of divine judgment, and the threat of eternal malediction, that any of them, with respect to the monasteries of nuns subjected to them by ordinary right, in their state and in their own diocese, [should be mindful] by their own authority, but, in regard to those which belong immediately to the Roman Church, by authority of the Apostolic See; but that abbots and other excepted prelates of churches, monasteries, and orders whatsoever, should be mindful, in such monasteries subjected to them, to take measures as soon as they conveniently can, regarding a proper closing, where such does not exist, at the expense of the monasteries themselves, and through the alms of the faithful, which they should take care to be carefully made for this purpose, and shutting in the nuns themselves, if they would avoid the acrimony of the Divine anger and ours, by checking contradictory and rebellious persons by ecclesiastical censure, appeal being laid aside, calling in, if need shall be, the aid of the secular arm. But through this let not the ordinaries of the several places believe that any jurisdiction or power in other respects is by any means granted to them.

CLEMENT V. IN THE COUNCIL OF VIENNA.

Ex Clementinis, lib. 1, tit. VI. touching the Age, and Quality, and Order, of those to be set over, cap. 2.

(Sess. xxii. de reform. cap. 4.)

That those who are bound or shall hereafter be bound to divine offices in cathedral or collegiate, secular or regular churches, may the more readily be induced to take on them holy orders, we determine that no one in future shall have a voice in the chapter in such churches (although this may be freely conceded to them by others), unless he has been placed in the order of subdeaconship. But let those who now peacefully hold in the same churches, or shall in future hold dignities, personates, offices, or prebends, to which certain orders have been annexed, unless (a just impediment being wanting) they shall cause themselves to be promoted

to such orders within a year from thence, until they have been advanced to them, by no means have a voice in the chapter of the same; and let the half of the distributions given to those who attend at certain hours, be deducted from them, any customs or statutes notwithstanding; the other penalties, which are of right enacted against those refusing to be promoted to orders, being nevertheless to continue in their proper force.

CLEMENT V. IN THE COUNCIL OF VIENNA.

Ex Clementinis, lib. 3, tit. I. on the Life and Becoming Demeanour of Clerks.

(Sess. xiv. de reform. cap. 6.)

Since he who, laying aside the garments suited to his order, presumes to take others, and to wear them in public without any reasonable cause, renders himself unworthy of the privilege of the professors of that order, we decree, by the present constitution, that whatever clerk shall wear a striped or party-coloured dress (unless a reasonable cause exists), if he happen to be beneficed, shall be suspended from the enjoyment of the emoluments of the benefices which he holds; but if he be not beneficed, yet being placed in holy orders within the priesthood, he is rendered for the same length of time incapable of holding an ecclesiastical benefice.

The same regulation we enact regarding other clergy, publicly laying aside the *vestis talaris*[j] and the clerical tonsure. But a person holding a dignity, personate, or any other benefice upon which the cure of souls is incumbent, as likewise all others constituted in the priesthood, and any religious persons soever, whom it behoveth to display internal goodness by the decency of their external garb, if (except from a reasonable cause) they shall publicly wear a garment of this kind, or publicly carry on their head an *infula* or *pileus lineus*,[k] they by the very fact, being bene-

[j] *I. e.* a garment reaching to the ankles.

[k] *I. e.* a linen cap or turban. So Synod. Perg. apud Muratori, vol. ix. p. 547: "Tonsuram et habitum deferant clericales ordini suo et statui competentes. . . . . Infulam de sera sive serico more laicali minime deferentes." See also Du Cange, vol. iii. p. 1428, sq.

ficed, to wit, are to be suspended for a year from the enjoyment of the fruits of the benefices which they hold. But all other priests and all religious persons soever are to be rendered for the same time incapable of holding any ecclesiastical benefice soever. But let both such and all other clerks soever using the *epitogium*[1] or *tabardus fœderatus usque ad oram*, and so short, that it evidently seems to be an inferior garment, let the secular clergy, and the religious holding administration, be bound within a month to give it to the poor; but let the other religious holding administration be bound within that same space of time to assign it over to their superiors, to be converted to some pious uses. Otherwise let beneficed persons know that they have incurred the aforesaid penalties of suspension, but the others the penalties of incapability [to hold a benefice] during the same period of time.

To this ordinance we yet further add, that clerks, especially beneficed, must not use in public *caligæ scacatæ*,[m] ruby or green.

Clement V. in the Council of Vienna.

Ex Clementinis, lib. 3, tit. XI. concerning Religious Houses, cap. 2.

(Sess. vii. de reform. cap. 15, et Sess. xxv. de reform. cap. 8.)

Because it sometimes happens that the rectors of xenodochia, of leprosy-houses, alms-houses, or hospitals, laying aside all care of the places, neglect to wrest the goods, chattels, and their rights from the hands of occupiers and usurpers, nay, more, allow them to tumble down and be destroyed, the houses and buildings to be disfigured with ruins, and not heeding the fact that the places were founded and endowed for this purpose, that paupers and leprous persons might be admitted within them, and be supported from the revenues thereof, they inhumanly refuse to do so, converting the same revenues to their own uses, to their own damnation, when, however, these things which were intended for a certain use by the liberality of the faithful,

[1] The epitogium was a kind of cloak. With these precepts compare the similar prohibitions quoted in Du Cange, l. c. p. 114, and vol. vi. p. 938, s. v. tabardum.

[m] *I. e.* plaid or check patterns. Cf. Du Cange, vol. vi. p. 167.

ought to be applied to that use, and not to any other (saving, however, the authority of the Apostolic See), we, detesting such negligence and abuse, ordain, with the approbation of this sacred council, that those to whom that duty appertains by right or statute, framed at the time of founding the places, or by custom legitimately prescribed, or by privilege of the Apostolic See, should make it their study to introduce wholesome reforms into these same places in all the aforesaid particulars, and cause those that have been unduly seized on, lost, and sequestered, to be brought back to the due state, and that they should not omit to force the aforesaid rectors to admit these miserable persons, and to allow them due support, according to the means and revenues of the places themselves. In which, if they perchance evince any negligence or deficiency, we enjoin the ordinaries of the places, that although the aforesaid pious places may possess the privilege of exemption, they are to fulfil all and each of the preceding particulars, and that they compel those same rectors, not privileged by their own, but those exempted and other privileged persons by the apostolic authority; restraining all refractory persons, of what state or condition soever they may be, or those who abet the same rectors by their counsel, aid, or favour touching the matters premised, by means of ecclesiastical censure and other remedies of the law; yet thereby occasioning no prejudice to the exemptions or privileges themselves as to other matters. But in order that what has been premised may more properly be observed, let none of these places be conferred on secular clergy as a benefice, although this may have been observed by custom (which we condemn entirely), unless at their foundation it may have been constituted otherwise, or provision regarding a rector may have to be made for such places by election. But let the government of these be intrusted to provident, competent men of good testimony, who may know how, be willing and able to direct the places themselves, their goods and rights, and faithfully to dispense their proceeds and revenues to the use of miserable persons, and men who are not likely to apply the aforesaid goods to other uses; in which we burden the consciences of those to whom the commission of the aforesaid places appertains, under the

invocation of the divine judgment. Let those also, to whom the government or administration of the aforesaid places shall be committed, be bound to make oath after the manner of guardians and curators, and to draw up inventories regarding the goods of the places themselves, and render an account of their administration every year to the ordinaries or others, who have such places under them, or to those to be deputed by them. But if any one shall attempt to act otherwise, we decree that the collation, provision, or the ordination itself is destitute of all validity. But we by no means wish that the matters premised should extend to the hospitals of military orders, or of other religious persons. The rectors of which hospitals we command, in virtue of holy obedience, that they take care to provide for the poor therein, according to the institutes of their orders and the ancient observances, and to afford in them the due meed of hospital attendance, to which they should be constrained by severe strictness, any statutes or usages soever notwithstanding. But it is part of our intention, that if any hospitals, having an altar or altars, or cemetery, from a remote period, and officiating priests, and persons ministering the ecclesiastical sacraments to the poor, or if the parochial rectors should have been wont to officiate in them, the ancient custom premised may be preserved with respect to exercising and administering the aforesaid spiritual matters.

EUGENIUS IV.

From lib. 5, Extravagantium communium, tit. VII. de privilegiis, cap. 3.

(This is abrogated in Sess. xxiii. de reform. cap. 1, and Sess. xxiv. de reform. cap. 11.)

Placed by the will of the divine clemency on the conspicuous watch-tower of the Apostolic See, we readily direct our attention to those things, through which the officials of the aforesaid see may, in obedience to it (to which, as the mother of all the faithful, the multitude flock from different parts of the world, to seek the salvation of souls and to attain justice), be more securely and peaceably enabled to show themselves alert. Hence it is that we, moved by certain reasonable causes, treading in the footsteps of

some of our predecessors, more strictly prohibit the ordinaries of places, as also their commissioners and delegates, and all others, each and every one, by what power and authority soever they may be distinguished, of what dignity, grade, or pre-eminence soever they may be, from presuming to proceed against the aforesaid officials, by what title soever they may be named, being in obedience to us and to the aforesaid see now and for the time, and also against any other persons soever coming to the aforesaid see for the prosecution of the causes and transactions on one side or the other, and delaying in it (during the prosecution of such transactions and causes), or from promulging against them sentence of excommunication, suspension, or interdict, or of privation of offices or benefices, or any other sentence soever.

For we declare all and every process and sentence passed and entertained contrary to the tenor and meaning of this our prohibition, and [all] to be hereafter entertained and promulged, and whatever may thence follow, as null, void, and unavailing, and to have been, or to be, of no validity or moment. In like manner, whatever may have been attempted wittingly or ignorantly contrary to this by any person, of what authority soever, either hitherto, or may happen to be attempted hereafter, we likewise decree that it be null and void, and nevertheless against all and each of the ordinaries and officials, commissaries and their delegates, who, by interfering with any dignities and ecclesiastical benefices soever of the aforesaid officials, either prosecuting such transactions before the Holy See, by depriving them of them, and decreeing or declaring them to be private persons, or by conferring them on other persons under any private pretext, or by interfering with them in any way soever, we promulge as well against the givers as the receivers, sentence of excommunication, suspension, and interdict, which [sentence] we will that they incur by the very fact; from which sentence of excommunication they shall be unable to be absolved, unless by us, or persons to be deputed by us, unless they be at the very point of death.

But we will, by our own certain knowledge, that the above be binding, and operate on all persons soever from the day in which these presents are affixed to the doors of

the Basilic of the prince of the apostles, in the city. All apostolical and general, or provincial or synodal councils soever, edicts, constitutions, ordinances, and apostolic privileges, by which the effect of these presents might in any way be impeded or delayed, even though special mention might have to be made of them and of their entire tenor in these presents, and which by these presents we wish to hold as sufficiently expressed, and all other things soever to the contrary notwithstanding. To no one then, etc.

Given at Rome, at St. Peter's, in the year of the incarnation of our Lord 1432, on the 8th of the Ides of March, the second of our pontificate.

GREGORY X. AT THE COUNCIL OF LYONS.

From the Sixth of the Decretals, lib. 1, tit. VI. on Election and the Power of the Elected, cap. 14.

(Sess. vii. de reform. cap. 3.)

Though a canon, put forth by our predecessor, Pope Alexander III., of happy memory, has decreed among other matters, that no person is to undertake the government of a parochial church, unless he has reached the twenty-fifth year of his age, and is worthy of being recommended by his knowledge and morals, and that such person, when elected to this government, if, having been admonished, he is not ordained to the priesthood at the time fixed by the canons, is to be removed from the duty of such government, and that it be conferred on some other person; because, however, in the observance of the above-mentioned canon, many show themselves negligent: we, wishing that their dangerous negligence be made up for by the execution of the law, ordain by our present decree, that no one be admitted to the government of a parochial church, unless he be qualified by morals, knowledge, and age; decreeing that collations to be made of parochial churches to those who have not reached their twenty-fifth year shall hereafter be utterly invalid. He, also, who shall be appointed to such government, that he may take better care of the flock intrusted to him, is bound personally to reside in the parochial church of which he may be rector, and cause himself to be promoted to the

priesthood within a year, to be reckoned from the time of the government having been committed to him. But if he shall not have been promoted within the said time, let him, by the authority of the present constitution, be deprived of the church intrusted to him, without any previous admonition. But touching the residence as above mentioned, the ordinary may grant a dispensation according as a reasonable cause requires it.

Gregory X. in the Council of Lyons.

From the Sixth of the Decretals, lib. 1, tit. XVI. on the Office of the Ordinary, cap. 3.

(Sess. vii. de reform. cap. 5.)

Let the ordinaries of places strictly compel their subjects holding several dignities or churches, to whom is intrusted the cure of souls, or a personate, or dignity with another benefice, to which a similar cure is annexed, to exhibit the dispensations, by the authority of which they claim canonically to hold churches, personates, or dignities, within a time to be settled by the will of the ordinaries themselves, according to the nature of the proceeding. But if it perchance happen that, just impediment being wanting, no dispensation is exhibited within the same time, let the benefices of the church, personates,[n] or dignities, which it is evident are held illicitly without a dispensation, be freely conferred on proper persons, through those to whom the collation thereof appertains. But if the dispensation exhibited appear to be sufficient, let the person exhibiting it not be molested in such benefices as he holds canonically. Let the ordinary, however, take care that the cure of souls be not neglected in the same churches, personates, or dignities, and that the benefices themselves be not defrauded of their due rights. But if doubt be entertained concerning the sufficiency of the dispensation exhibited, regarding this, recourse is to be had to the Apostolic See, whose province it is to estimate what he would wish to be the limit of its own grant. Yet further, in conferring personates, and dignities, and other benefices having the cure of souls annexed, let

[n] A kind of benefice, explained in a former note.

the same ordinaries observe this diligence, that they do not presume to confer a personate, dignity, or other benefice having a similar cure of souls, on any person holding several of the same kind, until a dispensation evidently sufficient be shown by them regarding those so obtained, which being shown, we desire that they at length proceed to the collation, if it appear by the same that the person on whom the collation is to be made can freely retain such personate, dignity, or benefice, along with those already held, or if he freely and willingly resign those which he thus holds. Otherwise, let a collation made of personates, dignities, and such benefices, be of no moment soever.

GREGORY X. IN THE COUNCIL OF LYONS.

From the Sixth of the Decretals, lib. 3, tit. XX. on Estimates or Exactions made under a Plea of Procuration, cap. 2.

(Sess. xxiv. de reform. cap. 2.)

The audacity of the perverse requires that we be not content with the mere prohibition of misdemeanours, but also, that we impose a penalty on those offending. Willing, therefore, that the constitution of Pope Innocent IV., of happy memory, our predecessor, published regarding the non-acceptance of procurations in money, or on the receiving of gifts interdicted to visitants and their associates, which the temerity of many is said to transgress, should be inviolably preserved, we decree that it be strengthened by the addition of a penalty; enacting, that all and every individual who shall presume to exact money on account of a procuration due to him on the score of a visitation, or even to receive it from a willing person, or in any other way to violate the constitution itself by receiving presents, or, the office of visitation not being rendered, [by receiving] a procuration in victuals, or anything else under the plea of a procuration, let such persons be bound to refund, within a month, double of that which they may have received, to the church from which it may have been received. Otherwise, let patriarchs, archbishops, bishops, delaying to restore this double sum within the prescribed time, know that henceforward their entrance into the church is interdicted. But let inferior functionaries know that they are suspended from their office

and benefice, no remission, largess, or favour of the givers being to avail them in this particular.

Innocent III. in the Council of Lateran.

From Book 1 *of the Decretals, tit. XXXI. on the Office of the Judge, cap.* 15.
(Sess. v. de reform. cap. 2.)

Among other matters which tend to the salvation of the Christian people, the food of the word of God is known to be especially necessary to them; because, as the body is nourished by material, so is the soul by spiritual food, because not in bread alone doth man live, but in every word which proceeds from the mouth of God.[o] Whence, whereas it frequently happens that bishops, on account of their manifold engagements, or corporeal infirmities, or the incursions of enemies, or other causes (not to mention deficiency of knowledge, which in them is to be reprobated, and no longer to be tolerated for the future), are not of themselves sufficient to minister to the people the word of God, more especially throughout their extensive and scattered dioceses; by a general constitution, we enact, that the bishops appoint competent men to perform in a wholesome way the office of holy preaching, men powerful in work and in speech, who, instead of themselves, seeing they are unable, anxiously visiting the people committed to them, may edify them by word and example, to whom,[p] when they are in want, let them[q] minister the necessaries, lest for lack of necessaries they be obliged to desist from their undertaking. Whence, we enjoin that proper persons be ordained as well in cathedral as in other conventual churches, whom the bishops may be able to have as coadjutors and assistants, not only in the office of preaching, but also in hearing confessions, and enjoining penance, and in other matters relating to the salvation of souls. But if any one neglect to fulfil this, let him be subjected to strict retribution.

[o] Deut. viii. 3; Matt. iv. 4.
[p] *I. e.* the deputed preachers.
[q] *I. e.* the bishops.

INNOCENT III. IN THE COUNCIL OF LATERAN.

From Book 3 of the Decretals, tit. V. on Prebends and Dignities, cap. 28.

(Sess. vii. de reform. cap. 4.)

It was with much foresight prohibited at the Council of Lateran, that no one should receive different ecclesiastical dignities, or several parochial churches, contrary to the institutes of the sacred canons; otherwise the receiver should lose one so received, and the person conferring it should be deprived of the power of bestowing it. But because, by reason of the presumption and greediness of certain persons, none or rare advantage has hitherto resulted from the aforesaid statute, we, desirous to meet [the evil] more evidently and more expressly, determine by our present decree, that whoever shall receive any benefice having the cure of souls annexed, if he previously held such a benefice, shall be by the very fact deprived thereof, and if perchance he should strive to retain it, he be also deprived of the other. He, also, to whom the granting of the former belongs, may freely confer that, after the reception of the other, upon the person to whom it may seem to be conferred deservedly, and if he shall delay to confer it beyond six months, the collation is not only to devolve upon others, according to the statute of the Council of Lateran, but also, he is to be obliged to make over as much out of his own proceeds for the good of the church to which the benefice belongs, as it is evident has been derived since the time of its becoming vacant. The same regulation we decree to be observed with respect to personates, adding, that no one is to presume to hold in the same church a plurality of dignities or personates. In the case, however, of exalted and learned persons, who are to be honoured with greater benefices, a dispensation may be granted by the Apostolic See, when reason shall require it.

INNOCENT III.

Ibid. cap. 29.

(Sess. vii. de reform. cap. 3.)

It is too grievous and too absurd, that some prelates of churches, when they are able to promote qualified persons

to ecclesiastical benefices, scruple not to select unworthy persons, who have not the suffrage either of correctness of morals, nor of the possession of learning, following the affections of the flesh, not the judgment of reason; from which source, no one of sound mind can be ignorant what heavy destruction results to the churches. Wishing, therefore, to remedy this disease, we enjoin that, passing by the unworthy, they select the deserving, who may be willing and able to bestow on God and the churches a grateful service, and that a careful examination be made annually touching this matter in the provincial council, in such a manner that he who, after the first and second correction, has been found blame-worthy, may be suspended from conferring benefices by the council itself, a provident and reputable person being appointed in the same council, who may supply the defect of the suspended person in conferring benefices. And let this same be observed with respect to the chapters which may have transgressed in these particulars. But let the delinquency of the metropolitan be left to the judgment of the superior, to be reported on the part of the council. But that this wholesome provision may obtain fuller effect, let the sentence of such suspension, besides the authority of the Roman pontiff, or of the proper patriarch, be by no means relaxed, that in this, also, the four patriarchal sees may be especially honoured.

Innocent III. in the Council of Lateran.

From Book 3 of the Decretals, tit. XXXV. on the State of Monks, cap. 7.

(Sess. xxv. de regul. et monial. cap. 8.)

In every kingdom and province, let there be every three years, without detriment to the right of the diocesan pontiffs, a common chapter of the abbots, and of the priors not having their own abbots, who have been accustomed to attend such chapters, at which all not labouring under a canonical impediment are to assemble at one of the monasteries suited for this purpose; this check being applied, that none of them is to bring more than six evictions and eight persons. But at the commencement of this innovation, let them cite in charity two abbots of the Cistercian order, who may be near at hand, to afford advice and timely aid, as by

long custom they are more fully informed in holding such chapters; who are to associate without contradiction with themselves from among themselves, two persons whom they shall consider to be expedient. And let these four preside over the entire chapter, so that from this none of them is to assume the authority of precedence, whence, should it seem expedient, they may be changed after careful deliberation. But let such chapter be held on some certain days successively, according to the custom of the Cistercian order, in which a careful consideration may be entertained touching the reformation of the order and regular observance; and let whatever may have been ordained with the approbation of these four persons, be inviolably observed by all, all excuse, contradiction, and appeal being removed, a provision nevertheless being made as to where the chapter is to be held in the following term. And let those who may assemble lead a life in common, and let them contribute proportionally to all the common expenses in such a manner, that, if all cannot dwell in the same houses, at least the greater number may tarry together in different houses. Let there be ordained in the same chapter religious and circumspect persons, who may in our stead be careful to visit each abbey of the same kingdom or province, not only of the monks but of the nuns also, according to the prescribed form, correcting and reforming whatever they may observe to stand in need of the office of correction and reform, so that, should they know that the rector of a place ought to be removed entirely, signify to his own bishop that he should take care to remove him; which should he not do, the visitors themselves must refer it to the inquiry of the Apostolic See. This same [ordinance] we desire and recommend that the regular canons observe according to their own order. But if in this innovation aught of difficulty should arise, which cannot be got over by the aforesaid persons, reference may be made without scandal to the judgment of the Apostolic See, all the other points being without infraction observed, which may have been provided for by united deliberation.

Furthermore, let the diocesan bishops so study to reform the monasteries subjected to them, that when the aforesaid visitors may come to them, they may find more in them

which may be deserving of commendation than of correction; most attentively taking care that the monasteries already mentioned be not oppressed by them with undue burdens, because we desire that the rights of the superiors be observed, so that we should not wish to allow of the wrongs to the inferiors.[r] To this end, we strictly enjoin, as well to diocesan bishops as to the persons who shall preside over the holding of the chapters, that appeal being removed by ecclesiastical censure, they would restrain advocates, patrons, vice-lords, rectors and consuls, nobles and soldiers, or any other persons soever, that they presume not to offend the monasteries in persons and things. And if perchance they should offend, they should not neglect to force them to make satisfaction, to the end that they may be able the more freely and quietly to do services unto Almighty God.

Innocent III. in the Council of Lateran.

From Book 4 of the Decretals, tit. III. on Clandestine Betrothal, cap. 3.

(Sess. xxiv. decret. de reform. matr. cap. 1.)

Whereas the prohibition of the conjugal tie has been recalled in the three last degrees, we desire it to be strictly observed in other cases. Whence, treading in the footsteps of our predecessors, we altogether prohibit clandestine marriages; forbidding even any priest from being present at such. Wherefore, extending the special usage of some places to others generally, we decree, that when marriages are to be contracted, they be called out publicly by the priests[s] in the churches, a sufficient period being defined, that within it whosoever may be willing and able may oppose a legitimate impediment, and the presbyters themselves may nevertheless examine whether any impediment stand in the way. But when a probable conjecture shall appear against the tie to be contracted, let the person so contracted be expressly interdicted, until it shall appear from plain proofs what ought to be done on the subject.

[r] Ut inferiorum nolimus injurias sustinere.

[s] Presbyteros.

INNOCENT III. IN THE COUNCIL OF LATERAN.

From Book 5 of Decretals, tit. I. on Accusations and Inquisitions and Denunciations, cap. 24.

(Sess. xxiv. de reform. cap. 5.)

After what manner and how a prelate ought to proceed to inquire into and to punish the excesses of his subjects, is evidently inferred from the authorities of the New and Old Testament, from which subsequently proceeded the canonical enactments, as on a former occasion we distinctly noted, and now confirm by the approbation of the sacred council. For it is read in the Gospel, that the steward who had got into bad repute with his master, as though he had wasted his goods, heard from him :[t] *What is this I hear of thee? give an account of thy stewardship; for thou mayest no longer be steward.* And in Genesis, the Lord says :[u] *I will go down and see, whether they have filled up the cry which indeed hath reached me.* From which authorities it is clearly proved that not only when the subject, but even when the prelate transgresses,[v] if it reach the ears of the superior by clamour and report, not indeed by the evil-intentioned and evil speakers, but by provident and reputable persons, and not once only, but frequently (which is intimated by clamour and evinced by general report), he ought, in presence of the seniors of the church, carefully to investigate the truth, to the end that, if the nature of the thing should require it, canonical severity may punish the offence of the delinquent, not as though he were the author and informer, but as though he were performing the duty of his office from the reports of fame or the denunciation of clamour. But although this is to be observed in the case of subjects, a more careful observation is to be made in the case of prelates, who are set up as it were as a mark for the arrow.[w] And because they cannot please all, inasmuch as by their office they are obliged not only to reprove, but also to rebuke, nay, sometimes also to suspend, on some occasions even to bind, they frequently incur the ill-will and hatred of many, and become exposed to treachery; it is for this reason the

[t] Luke xvi. 2.
[u] Gen. xviii. 24.
[v] Excedit.
[w] Lament. iii. 12.

holy fathers with foresight ordained, that an impeachment against prelates be not readily listened to, lest, the pillars being shaken, the edifice should totter, unless diligent caution be applied, by means of which the door may be shut against not only false, but also against malignant crimination. But in such manner did they wish to provide for the interests of prelates, that they might not be accused unjustly, so, however, as to beware that they did not offend insolently, finding a suitable remedy against both diseases, to the end that a criminal accusation, which is brought in order to procure degradation,[x] may by no means be admitted, unless a legitimate inscription precede. But when any one has become so infamous by reason of his excesses, that the cry now ascends, which can no longer be concealed without scandal, or tolerated without danger, without a scruple of doubt, a desire to inquire into and punish his excesses should proceed, not from any lurking hate, but from a feeling of charity, inasmuch as, if the excess be serious, though he may not be degraded from his order, he may, however, be removed from the administration, which is according to the sentence in the Scripture, for the steward to be removed from his stewardship, who cannot render a proper account of his stewardship. Wherefore, he ought to be present against whom the inquiry is to be made, unless he shall absent himself through contumacy, and those heads are to be explained to him, concerning which inquiry shall have to be made, that he may have an opportunity of defending himself. And not only the sayings, but the names also of the witnesses are to be published for him, that it may appear what may have been said and by whom; and, also, lawful exceptions and replies are to be admitted, lest by a suppression of names there may be occasioned a daring spirit of defaming, and by an exclusion of exceptions, a spirit of alleging falsehood. To correct, therefore, the excesses of his subjects, the prelate ought to arise so much the more diligently, as he would incur greater damnation in allowing their offences to pass by uncorrected; against whom, to say nothing of our excesses, though there are three modes of proceeding, viz., by their accusation, denunciation,

[x] Diminutio capitis.

and inquisition, so however that diligent caution be applied in all cases, lest by taking an easy short cut a heavy loss be sustained, as an inscription ought legitimately to precede an accusation, so also ought a charitable admonition to precede a denunciation, and a clamorous insinuation an inquisition, such check being always employed, that according to the form of the trial, the form of the sentence also be worded. This order, however, we do not think ought always and in every particular to be observed regarding regular persons, who, when occasion requires, can be removed from their administration more readily and more freely.

INNOCENT III.

From Book 5 of the Decretals, tit. XXXIII. on Privileges and Excesses of Privilege, cap. 16.

(Sess. xxiv. de reform. cap. 11.)

Whereas the chapel of the duke of Burgundy is said to enjoy this privilege, that no archbishop or bishop dare to publish sentences either of suspension, or excommunication, or interdict against the persons of the canons of that chapel, some canons of the aforesaid chapel who hold parochial churches from you, by occasion of the aforesaid privilege in those also whose jurisdiction appertains to you, say that they are exempt, so that however seriously they may sometimes transgress, they may refuse to submit to your correction and sentence. Wherefore, we command that in so far as they are exempt, with respect to the same chapel you may submit reverently to the apostolic privileges, but in so far as they are known to refer to your jurisdiction with respect to parochial churches or otherwise, you may freely follow up with regard to the same that which is due to your office.

INNOCENT III. IN THE COUNCIL OF LATERAN.

From Book 5 of the Decretals, tit. XXXVIII. on Penances and Remissions, cap. 12.

(Sess. xiii. de sacr. euch. can. 9, et Sess. xiv. de sacr. pœnit. can. 8.)

Every one of the faithful of either sex, when such person has reached the years of discretion, should alone confess all his or her sins faithfully, at least once a year to his own priest, and endeavour to fulfil according to his ability the

penance enjoined on him, receiving reverently, at least at Easter, the sacrament of the Eucharist, unless perchance he may think it right to abstain for a time from receiving it, for some reasonable cause, according to the advice of his own priest; otherwise, whilst living, let such person be debarred from entering the church, and when dead, let him be deprived of Christian burial. Whence, let this salutary statute be published frequently in the churches, that no one may in the blindness of ignorance take on a veil of excuse. But if any one shall wish to confess his sins to a strange priest for a just cause, let him first demand and obtain leave from his own priest, since, otherwise, the other can neither loose nor bind him.

Innocent IV. in the Council of Lyons.

From the Sixth of the Decretals, lib. 2, tit. XV. de appellat. cap. 3.

(Sess. xxii. de reform. cap. 7.)

"Romana ecclesia *et infra.*" Whereas the consistory or auditory of the suffragans of the church of Rheims and of their officials (who generally examine into the causes appertaining to their court in their stead), is to be accounted as one and the same, an appeal is to be made from the officials themselves not to the aforesaid suffragans (lest the appeal might seem to be made from the same to themselves), but by right to the court of Rheims. But the appeal ought to be made from the archdeacons and other inferior suffragan prelates subject to the same, and from their officials to the suffragans themselves, and not to the same court (omitting the aforesaid suffragans), unless custom warrants the church of Rheims in doing something else in this particular. But when an appeal has been made from the audience of the same suffragans or their officials to the above-mentioned court, let the archbishop of Rheims for the time being, or his official, on no account cite the parties, in the case of an appeal being lodged, before the definitive sentence, and let them not commit it to others, without expressing a probable or lawful cause of the same appeal.

But if, the parties being cited, it be set forth either that the appeal had not been made at all, or not within ten days after the interlocutory or final sentence, or something else

of the kind, and thus that the matter did not devolve by appeal upon the same archbishop or his official: let the same (unless it first be evident to them that the cause itself was laid wholly before them) not presume to prevent them from proceeding in that cause, or [from going on] to the execution of the sentence.

But if it be objected that the appeal laid arose from an unjust cause, or from one not altogether legitimate before the sentence, and in consequence thereof that no such appeal is to be admitted; the aforesaid archbishop or his official cannot prevent them from proceeding in the cause, unless the appeal being first received, as arising from a probable cause, they begin to learn regarding such a cause whether it be true. But if it be said that the appeal was made after sentence in cases not interfered with by law (as after sentence pronounced on a manifest and notorious crime, or one to which the party has confessed), or in such like, they may prevent the sentence being carried into execution (after they have begun to take cognizance whether the appeal interposed by him is to be received or not). Against another also, who makes any attempt after their inhibition regarding the matter in dispute between the appellant and his adversary, they cannot claim any jurisdiction to themselves on an occasion of this kind. But when he who sends forth the voice of appeal on any cause to the court of Rheims, he must, nevertheless, submit in other causes to the jurisdiction of his ordinary; let not the archbishop of Rheims or his official interfere with his jurisdiction in other cases, so as entirely to take such appellant from the power of the same ordinary. But the appeal ought to be made to them from the bishops of the aforesaid province relative to causes in which they exercise temporal jurisdiction, unless perchance it may be necessary to appeal to another, by custom or privilege, or some other special right. Sentences also of interdict, or of suspension, or excommunication, promulged against an appellant by him from whom it is proposed to appeal, are by no means to be revoked and declared null and void, unless the parties be summoned, and the appeal be duly taken cognizance of. But when an appeal has been made before sentence to the archbishop of Rheims from the audience of his suffragan on any cause, let

the same archbishop (after he has examined the cause, and ascertained that it is not a reasonable one) not delay to send back the cause to the same suffragan.

INNOCENT IV. IN THE COUNCIL OF LYONS.

From the Sixth of the Decretals, lib. 5, tit. VII. de Privilegiis, cap. 1.

(Sess. vii. de reform. cap. 14.)

Wishing that the liberty, which the Apostolic See has conceded to some with a privilege of exemption, should be observed so unimpaired, that both others may not infringe it, and they themselves may not exceed its limits, we define by an irrefragable declaration, that however much those so exempted may enjoy such liberty, still, however, with respect to the offence, whether of contract, or of the matter concerning which proceedings are taken against them, they may duly be convened before the ordinaries of the places, and they may with respect to this exercise their jurisdiction against them (as justice requires).

Are they then altogether deprived of the advantage of liberty in these instances? Certainly not; because neither in presence of the ordinaries themselves, provided it was in the exempted place that the fault was committed, or the contract entered into, or the matter, the subject of litigation, took place, nor where they hold a residence, if they commit the offence elsewhere, or make the contract, or the matter itself occur, can they be convened in any respect regarding these points; nor under the pretext of residence are the diocesans of places (if they be convened where they have committed the offence, or have entered into a contract, or the matter itself takes place) to have any power to send them back there, or to enjoin them to answer there; reserving, nevertheless, other cases, in which the canonical institutes direct them to be subject to the jurisdiction of the bishops. And this same decree we pass concerning those to whom it has been conceded by apostolic privilege, that they are not obliged to answer those bringing complaints against them except before one judge. But against those, to whom indulgence has been conceded by the Apostolic See, that they cannot be interdicted, suspended, or excommunicated by any one, as several of them are religious persons, in

whose privilege it is contained, that no bishop or archbishop can presume to interdict, suspend, or excommunicate the monks of their monasteries for any cause, or in any place: the same ordinaries cannot at all exercise their jurisdiction with regard to those matters, wheresoever they may be, unless perchance the monks themselves have been appointed to the priorships of their monasteries, subject to the same ordinaries. For then, though they may freely be recalled to the same monasteries, and be considered as monks of those as well as of the priorships themselves (as it is not inconsistent that any one should hold a monastic place in both), it is known that one is subject to another monastery, or is dependent on it; with respect, however, to the same priorships, the aforesaid ordinaries can lawfully avail themselves of their jurisdiction in these even, as far as the preceding (as long as they tarry in them).

LEO X. IN THE COUNCIL OF LATERAN.

Sess. X. regarding the Printing of Books.

(Sess. iv. decret. de edit. et usu sacr. libror. et reg. x. de libris prohibitis, *suprà*.)

Lest that which has been wholesomely invented unto the glory of God, and the increase of the faith, and the propagation of the liberal arts, be converted to the contrary effect, and bring forth detriment to the salvation of the faithful of Christ, we deemed it right that our solicitude should be exercised concerning the printing of books, lest in future thorns grow up along with the good seed, or poisons be mixed up with medicines. Wishing, therefore, to provide an opportune remedy for these, with the approbation of this sacred council, that the business of the printing of such books may succeed with the greater prosperity, in proportion as a more close search shall be employed with greater diligence and caution: we decree and ordain that henceforward in the time to come, no one shall presume to print, or to cause to be printed, any book, or any writing soever, as well in our city as in all other cities and dioceses soever, unless such books or writings be first carefully examined in the city by our vicar and the master of the sacred palace, but in other states and dioceses by the bishop, or some-

other person possessing an acquaintance with science, to be deputed for that purpose by the same bishop, and by the inquisitor of heretical depravity, in the state or diocese in which the printing of such books might take place, and be approved by their subscription with their own hand, to be affixed gratuitously and without delay, under the sentence of excommunication. But whosoever shall presume to act otherwise, beside the loss of the books so printed, and their being publicly burnt, and the payment of one hundred ducats to the manufactory of the prince of the apostles in the city, without hope of its being remitted, and the suspension for an entire year of the practice of printing, let him be entangled in sentence of excommunication, and finally, his contumacy becoming worse, let him be so chastised by his bishop or our vicar respectively through all the remedies of the law, that others may not presume after his example to attempt the like. To no one, therefore, etc. But if any one, etc.

Given at Rome, in the public Basilica, solemnly celebrated on the year of the incarnation of our Lord 1515, fourth of May, in the third year of our pontificate.

SIXTUS IV.

Ex lib. 3, *Extravagantium communium, tit. XII. touching the Relics and the Veneration of Saints, cap.* 1.

(Sess. v. decret. de pecc. orig.)

When we investigate with the scrutiny of devout consideration the exalted insignia of the merits with which the queen of the heavens, the glorious virgin mother of God, advanced to the ethereal dwellings, shining amid the constellations as the morning star, and revolve beneath the secrets of our breast, that she herself, as the path of mercy, the mother of grace, and the friend of piety, the consoler of the human race, the sedulous and vigilant advocate on behalf of the salvation of the faithful, who are oppressed by the load of their offences, intercedes with the King whom she has brought forth; we consider it meet, nay, rather due, to invite by indulgences and the remissions of sins, that they may thereby become more fitted for divine grace, by the merits and intercession of the same Virgin, all the faithful

in Christ to return thanks and praises for the wonderful conception of the immaculate Virgin to Almighty God (where Providence regarding from eternity the humility of the same Virgin, for the reconciling to its author human nature, which, by the fall of the first man, became subject unto eternal death, by the preparation of the Holy Ghost, constituted her as the habitation of his only begotten, from whom he should take on him the flesh of our mortality for the redemption of his people, and she should remain, nevertheless, an immaculate virgin after the birth), and offer up masses and other divine offices instituted for that purpose in the church of God, and be present at them. Induced, therefore, by this consideration, confiding in the authority of the same Almighty God, and in that of his blessed apostles Peter and Paul, by the apostolic authority, which is to be in force for ever, by this constitution, we decree and ordain, that all and every one of the faithful of Christ, of both sexes, who shall devoutly celebrate and offer up on the day of the festival of the Conception of the same Virgin Mary, and during its octave, the mass and office of the Conception of the same glorious Virgin, according to the pious, devout, and praise-worthy ordinance of our beloved son Leonardi de Nogarole, clerk of Verona, our notary, and the institution of such mass and office which emanated down from us, or shall be present thereat in the canonical hours; as often as they shall do so, they are to obtain the same precise indulgence and remission of sins, which, according to the constitutions of Urban IV., of happy memory, approved at the Council of Vienna, and of Martin V., and of other Roman pontiffs, our predecessors, those are entitled to, who celebrate and offer up the mass in canonical hours at the festival of the body and blood of our Lord Jesus Christ from the first evening and during its octave, according to the constitution of the Roman Church, or who are present at the mass, at the office, and at such hours; these presents to be in force for all time.[y]

Given at Rome, at Saint Peter's, in the year of the incarnation of our Lord 1476, third of the calends of March, in the sixth year of our pontificate.

[y] Præsentibus perpetuis temporibus valituris.

Sixtus IV.

Ibid. cap. 2.

(Sess. v. Decret. de peccato originali.)

We bear a burden too onerous and painful, when unfavourable reports are brought to us regarding certain ecclesiastical persons. But in the excesses committed in preaching by those who are deputed to announce the word of God, we are the more provoked at it, in proportion as they remain with greater danger uncorrected, when the errors, which are impressed on the hearts of many by thus preaching publicly in a more diffused and damnable manner, cannot easily be done away with. And truly, when the holy Roman Church solemnly publicly celebrates a festival concerning the conception of the undefiled and (ever-Virgin Mary), and has ordained regarding this a special and peculiar office, some preachers of different orders, as we have heard, in their discourses to the people publicly have hitherto not blushed to affirm, through different states and lands, and cease not daily to preach, that all those who hold or assert, that the same glorious and immaculate mother of God was conceived without the stain of original sin, commit deadly sin, or that they are heretics; that those celebrating the office of the same immaculate conception, and hearing the discourses of those who affirm that she was conceived without such stain, sin grievously. But not content with the aforesaid preachings, they have published books got up about these their assertions, from whose assertions and preachings no inconsiderable scandals have arisen in the minds of the faithful, and still greater are dreaded to arise every day. We then, desiring to obviate such rash daring and perverse and scandalous assertions, which may thence arise in the Church of God, as far as is permitted us from on high, of our own proper motion, not at the instance of any petition presented to us on the point, but from our own mere deliberation and certain knowledge, reprobate and condemn by apostolic authority, by the tenor of these presents, such assertions of the same preachers, and of any other persons soever, who presume to affirm that those who believe or hold that the same mother of God was at her conception preserved from the stain of original sin, are for this reason

polluted with the stain of any heresy, or committed mortal sin; or that when celebrating such office of the conception, or listening to such discourses, that they incur the guilt of any sin, as being false and erroneous, and utterly foreign from the truth; and, moreover, in this respect, the aforesaid published books containing such assertion, and by the aforesaid motion, knowledge, and authority, we determine and ordain, that the preachers of the word of God, and any other persons soever, of what state, grade, order, or condition soever they may be, who in future shall presume, by rash daring, to affirm to the people, or in any other way soever, that such assertions, so disapproved and condemned by us, are true, or to read as true the aforesaid books, to hold or to keep them, after they have obtained the knowledge of these presents, incur by the very fact sentence of excommunication, from which they cannot obtain the benefit of absolution from any other person save from the Roman Pontiff, except at the very point of death. Likewise, by a similar motion, knowledge, and authority, subjecting to the same penalty and censure those who shall presume to assert, holding a contrary opinion, viz. that the glorious Virgin Mary was conceived with original sin, incur the guilt of heresy, or deadly sin, when it was not yet decided by the Roman Church and the Apostolic See; any apostolic constitutions and ordinances soever to the contrary notwithstanding, to which, whether in common or separately, there may exist an indult from the Apostolic See, that they cannot be interdicted, suspended, or excommunicated by apostolic letters, not making full, express, and word for word mention of such indult. And lest at any time they may be able to allege ignorance with regard to the foregoing, we desire that the requisite ordinaries of the places would deliver, in their discourses to the people, and cause to be published the present letters in the churches situate in their states, and in remarkable places of their dioceses, when a considerable multitude of the people has assembled for divine service. Moreover, because it would be difficult to convey the present letters to the individual places, wherein it might be expedient, we also will and decree, by the aforesaid authority, that a copy of the same letter, drawn up by the hand of a notary-public, and confirmed with the authentic seal of some eccle-

siastical prelate, be observed everywhere, as the same original letter would be observed, if it were exhibited or shown. Be it lawful, therefore, for no person soever to infringe this page of our reprobation, condemnation, statute, ordinance, will, and decree, or by rash attempt to contravene it. But if any one shall presume to attempt it, let him know that he will incur the indignation of Almighty God, and of the blessed apostles Peter and Paul. Given at Rome, at Saint Peter's, in the year of the incarnation of our Lord 1483, the day before the nones of September, in the thirteenth year of our pontificate.

APPENDIX

OF CERTAIN OTHER DOCUMENTS WHICH SEEM TO BE USEFUL TO CANDIDATES IN THEOLOGY.

CONDEMNATION OF THE ERRORS OF WICKLIFF, HUS, AND LUTHER.

THE sacred and holy Synod of Constance, holding a general council, and representing the Catholic Church, &c.

For the perpetual memory thereof.

The Catholic Faith, &c. The following are the articles of John Wickliff. 1. The substance of the material bread, and in like manner the substance of the material wine, remain in the sacrament of the altar. 2. The accidents of bread do not remain without a subject in the same sacrament. 3. Christ is not in the same sacrament, identically and really in his own corporal presence. 4. If a bishop or priest be in mortal sin, he does not ordain, he does not consecrate, he does not effectually celebrate [the Lord's Supper], he does not baptize. 5. It is not founded in the gospel that Christ ordained the mass. 6. God ought to obey the devil. 7. If man were duly contrite, all exterior confession is superfluous and useless. 8. If the Pope is a reprobate and evil, and consequently a member of the devil, he has not power given him by any one over the faithful, unless perhaps by Cæsar. 9. After Urban VI. no man is to be admitted as Pope, but we must

live after the manner of the Greeks under our own laws. 10. It is contrary to holy Scripture, that ecclesiastical persons should have possessions. 11. No prelate ought to excommunicate any person, unless he first knows that he has been excommunicated by God; and let him who so excommunicates be thereby a heretic, and excommunicated. 12. A prelate excommunicating a clerk, who has appealed to the king or the council of the kingdom, is by that very fact a traitor to the king and kingdom. 13. They who discontinue to preach or hear the word of God on account of the excommunication of men, are excommunicated, and in the judgment of God will be deemed traitors to Christ. 14. It is lawful for any deacon or priest to preach the word of God without the authority of the Apostolic See or Catholic bishop. 15. There is no civil master, no prelate, no bishop, whilst one is in mortal sin. 16. Temporal masters can take away at pleasure temporal goods from the Church, those in possession habitually offending, *i. e.* offending from habit, not from act merely. 17. Subjects can, according to their pleasure, correct their masters when offending. 18. Tithes are pure alms, and parishioners can take them away at pleasure, on account of the sins of their prelates. 19. Special prayers applied to one person by prelates or religious persons are not more profitable to the same than general prayers, *cæteris paribus*. 20. He who confers alms on brethren is excommunicated by that very fact. 21. If any one enter any private religious order soever, as well of persons possessing property as of mendicants, he is rendered the more unfit and inapt for observing the commands of God. 22. The saints founding private religions sinned in so founding. 23. Religious persons living in private religions are not of the Christian religion. 24. Brethren are bound to acquire a livelihood by the labour of the hands, and not by mendicancy. 25. All are simonists who bind themselves to pray for others who relieve them in temporals. 26. The prayer of a reprobate avails no one. 27. All things happen from absolute necessity. 28. The confirmation of the young, the ordination of the clergy, the consecration of places, are reserved for the Pope and bishops, through the desire of temporal lucre and honour. 29. Universities, studies, colleges, graduations, masteries in the same, are in-

troduced by vain gentility; they only profit the Church as the devil does. 30. The excommunication of the Pope, or of any prelate soever, is not to be dreaded, because it is the censure of antichrist. 31. Those founding cloisters sin, and those entering are diabolical men. 32. To enrich the clergy is contrary to the rule of Christ. 33. Pope Silvester and the Emperor Constantine erred in endowing the Church. 34. All of the order of mendicants are heretics, and those giving them alms are excommunicated. 35. Those entering religion, or any order, are by the very fact unfit to observe the divine precepts, and consequently to reach the kingdom of heaven, unless they shall have apostatized from the same. 36. The Pope with all his clergy holding possessions are heretics in this, that they hold possessions, as also are those consenting to them, all secular princes forsooth, and the rest of the laity. 37. The Roman Church is the synagogue of Satan; nor is the Pope the next and immediate vicar of Christ and of the apostles. 38. The decretals of the Church are apocryphal, and seduce from the faith of Christ; and the clergy are fools who study them. 39. The emperor and secular princes were seduced by the devil to endow the Church with temporal goods. 40. The election of the Pope by the cardinals was introduced by the devil. 41. It is not necessary to salvation to believe that the Roman Church is supreme amongst other churches. 42. It is silly to put confidence in the indulgences of the Pope and of bishops. 43. Oaths are unlawful which are intended to strengthen human contracts and civil intercourse. 44. Augustin, Benedict, and Bernard, were damned if they did not repent of their having had possessions, and of having instituted and entered religions;[z] and thus, from the Pope to the last religious, all are heretics. 45. All religions were introduced indifferently by the devil. *End of the Articles of Wickliff.*

And the same John Wickliff composed books, named a Dialogue and Trialogue, by himself, and several other tracts, volumes, and minor works, in which he inserted, and dogmatically set down, certain proscribed articles, and several other damnable ones, &c. These again having been brought to the knowledge of the Apostolic See, and of the general

[z] *I. e.* monastic orders.

council, the Roman Pontiff (Johannes XXIII. in obedience to it), in the last Roman Council held, condemned the aforesaid books, tracts, and minor works. But this sacred synod caused the forty-five articles aforesaid to be examined, and frequently to be reviewed by several most reverend fathers of the Roman Church, cardinals, bishops, abbots, masters in theology, doctors of both laws, and several deserving of notice in a numerous multitude; which articles having been examined, it was discovered, as it is in truth, that some and several of them had been and were notoriously heretical, and long since reprobated by the holy fathers; that others were not catholic, but erroneous; others scandalous and blasphemous; some offensive to pious ears; some of them rash and seditious. It has even been ascertained, that his book contains several other articles of similar qualities, and that they introduced in the Church of God a doctrine that was frantic,[a] and inimical to faith and morals. On this account, this sacred synod, in the name of our Lord Jesus Christ, ratifying and approving the sentences of the above-mentioned archbishops and of the Roman Council, by this perpetual decree reprobates and condemns the aforesaid articles, and each and every one of them, the books of the same, named by the same John Wickliff Dialogue and Trialogue, and other books of the same author, volumes, tracts, and minor works, by what name soever they may pass, which it here wishes to be held as being sufficiently expressed.

But, because the aforesaid books having been carefully examined by the doctors and masters of the University of Oxford, beyond the forty-five articles above mentioned, they have collected two hundred and sixty articles exclusive of them, some of which coincide in sentiment with the above-mentioned, though not in the same form of words, and as has been above said of others, some of them were and are heretical, some seditious,[b] some erroneous, some rash, some scandalous, others insane, and also almost all contrary to good morals and Catholic truth, were for that reason reprobated scholastically and duly by the aforesaid university. This sacred synod accordingly, with the deliberation above men-

[a] Vesanam. Others read "venenosam," poisonous.
[b] Others read "excerpendo collegerunt."

tioned, reprobates and condemns the aforesaid articles, and each and every one of them, prohibiting, commanding, enjoining, and decreeing, as regarding the forty-five others. The tenor of the same two hundred and sixty articles we considered should be inserted below. *The series, however, of these articles does not appear in the collection of the councils.*

The sacred and holy General Synod of Constance, representing the Catholic Church, lawfully assembled in the Holy Spirit, for the perpetual memory thereof.

Quia teste veritate, etc. Wherefore plenary information having been first had regarding the preceding matters, and by a careful deliberation of the most reverend Lords Fathers in Christ, or Cardinals of the Roman Church, patriarchs, archbishops, bishops, and other prelates, and doctors of the sacred page, and of both laws, in a numerous crowd, this sacred Synod of Constance declares and defines, that the articles below written,—which, a collation being made by several masters in the sacred page, were found to be contained in his books and works written with his own hand, and which also the same John Hus, in a public audience before the fathers and prelates of this sacred council, confessed to be contained in his books and works,—are not catholic, nor to be set down as such, but that several of them are erroneous, others scandalous, some offensive to pious ears, and several of them rash and seditious, and some of the same to be notoriously heretical, and long since reprobated and condemned by the holy fathers and general councils . . . . . .

But whereas the articles written beneath are expressly contained in his books or tracts, viz., in the book which he entitles "on the Church," and in other works of his, for this reason the above-mentioned books, and doctrine, and each of the other tracts and works published by him in the Latin or common Bohemian dialects, this sacred synod reprobates and condemns, decides and defines that they be burned publicly and solemnly in the presence of the clergy and people in the state of Constance and elsewhere . . . . . peremptorily commands, that diligent inquiry be made through the ordinary of the place, after such tracts and works with ecclesiastical

censure, also, if it shall be necessary, with the addition of a penalty, and of a leaning to heresy, and that when found they be burned publicly in the flames.

Considering the measures adopted in the case of heresy against the aforesaid John Hus . . . . . the sacred and holy synod pronounces, decrees, and declares, that the aforesaid John Hus had been and is a real and manifested heretic . . . . . .

CONDEMNED ARTICLES OF JOHN HUS, OF WHICH MENTION IS MADE ABOVE.

1. There is one holy Universal Church, which is the whole body of the predestined. 2. Paul never was a member of the devil, though he may have done some acts similar to the acts of the malignants of the Church. 3. The prescite are not parts of the Church, since no part of it will finally fall off from it, because the charity of predestination, which binds it, will not fall off. 4. Two natures, divinity and humanity, are one Christ. 5. The prescitus, though he is sometimes in grace according to present justice, yet is never part of the Church, and the predestined always remains a member of the Church, although he may sometimes fall away from adventitious grace, but not from the grace of predestination. 6. Taking the Church for the convocation of the predestined, whether they be in grace or not according to present righteousness, in that way the Church is an article of faith. 7. Peter is not nor was he head of the holy Catholic Church. 8. Priests living criminally in any way soever pollute the power of the priesthood, and so as unfaithful sons think unfaithfully of the seven sacraments of the Church, of the keys, offices, censures, morals, ceremonies, and sacred things of the Church, veneration of relics, indulgences, and orders. 9. The papal dignity derived its strength from Cæsar, and the full establishment and institution of the Pope emanated from the power of Cæsar. 10. No one without a revelation could assert reasonably of himself, or of another, that he was head of a particular church. 11. It would not be fitting to believe that he, whoever is Roman pontiff, is the head of any particular holy church soever, unless God predestined him. 12. No one acts as vicar to Christ or Peter, unless he follows him in morals, since no other appendage is more pertinent, nor can he otherwise

receive from God the vice-gerent power, because for that office a vicarship and conformity of morals is required, and the authority of an instituent. 13. The Pope is not the true and manifest successor of Peter, prince of the apostles.. if he lives with morals contrary to Peter, and if he seek avarice, he is then vicar of Judas Scariot. And with equal evidence the cardinals are not the true and manifest successors of the college of the other apostles of Christ, unless they have lived after the manner of the apostles, keeping the commandments and counsels of our Lord Jesus Christ. 14. Doctors laying down that any one to be corrected by ecclesiastical censure, if he be unwilling to be set aright, is to be delivered over to secular judgment, certainly follow in this the priests and scribes and Pharisees, who, when saying *it is not lawful for us to put any one to death*,[c] delivered over Christ himself, when not wishing to obey them in all things, to the secular power, and that they are real homicides, more grievous than Pilate. 15. Ecclesiastical obedience is obedience according to the invention of priests of the Church, exclusive of the express written authority. 16. The immediate division of human works is, that they are either virtuous or vicious: because if man is vicious and does anything, he then acts viciously; and if he is virtuous, and does anything, he then acts virtuously; because as vice, which is called crime, or deadly sin, infects universally the acts of a vicious man, so virtue enliveneth all the acts of a virtuous man. 17. Priests of Christ living according to his law, and possessing an acquaintance with the Scripture and a desire to edify the people, ought to preach, notwithstanding a pretended excommunication. But if the Pope or any other prelate commands a priest so disposed not to preach, he ought not submissively to obey. 18. Any one receives the office of a preacher by mandate, who attains the priesthood, and that mandate he ought to execute, notwithstanding the pretended excommunication. 19. By ecclesiastical censures of excommunication, suspension, and interdict, the clergy get under their feet[d] the lay people for their own exaltation, multiply avarice, protect wickedness, and prepare the way for antichrist. It is an evident sign that such censures

[c] John xviii. 31. [d] See Du Cange.

proceed from antichrist, which in their processes they call fulminations, by which the clergy chiefly proceed against those who lay bare the wickedness of antichrist, who will use the clergy chiefly for himself. 20. If the Pope is evil, and especially if he is a reprobate, then as Judas he is an apostle of the devil, a thief, and the son of perdition, and is not the head of the holy Church militant, since he is not even a member of it. 21. The grace of predestination is a bond by which the body of the Church, and every member of it, is indissolubly joined to Christ the head. 22. Pope or prelate, evil and a reprobate, is equivocally pastor, and truly thief and robber. 23. The Pope ought not to be called most holy, even according to his office, because otherwise the king would have a right also to be called most holy as to his office, and torturers and criers should be called holy, nay the devil even would have a right to be called holy, as being an officer of God. 24. If the Pope live in a manner contrary to Christ, although he should ascend through the right and lawful election according to the common human ordinance, yet he would ascend by another way than through Christ, granting even that he should enter by an election principally made by God: for Judas Scariot was elected rightfully and lawfully by the Lord Jesus Christ to the episcopacy, and yet he ascended by another way to the sheep-fold. 25. The condemnation of the 45 articles of J. Wickliff, by the doctors, was an unreasonable one, and unjust, and wickedly done, and the cause alleged by them was feigned; viz., from this circumstance, that none of them was catholic: but any one of them is either heretical, or erroneous, or scandalous. 26. Not for this very reason because the electors, or the majority of them, consent *vivâ voce*, according to the usages of men, to some person, such person is not for that very reason lawfully elected; not for that very reason the true and manifest successor, or vicar of the apostle Peter, or of another apostle, in ecclesiastical office: whence, whether the electors have elected him rightly or otherwise, we ought to trust to the works of the elect; for in proportion as any one works more abundantly in a manner meritorious unto the proficiency of the Church, in greater abundance has he from God the means for this. 27. There is not a spark of appearance, that there should be one head

governing the Church in spirituals, which may ever be conversant and preserved with the Church militant itself. 28. Christ without such monstrous heads would regulate the Church better by means of his true disciples scattered throughout the world. 29. The apostles and faithful priests of the Lord strenuously regulated the Church in things necessary unto salvation, before the office of pope was introduced; so would they do, even were a pope wanting to the day of judgment. 30. No one is a civil prince, no one is a prelate, no one a bishop, whilst he is in deadly sin.

For the Bull of Martin V., dated at Constance, on the 8th of the calends of March, 1418, which contains the articles of Wickliff and Hus inserted, and condemns the same, with the approbation of the Sacred Council of Constance,—see vol. iii. Concil. Harduin. p. 905, *et seq.*

The Bull of Leo X. against Luther, 18th of the calends of July, 1520, Leo episcopus, &c. Exsurge Domine, &c. But of these errors (of Luther) we thought that some ought to be inserted among the present, the tenor of which is here given, and is as follows:

1. It is an heretical, but common opinion, that the sacraments of the new law confer justifying grace on those who do not place a barrier. 2. To deny that sin remains in a child after baptism is to trample down Paul and Christ together. 3. The leaven of sin, though no actual sin may be present, delays the soul departing from the body from entering heaven. 4. The imperfect charity of a dying man carries with it great fear as necessary, which of itself alone is enough to cause the punishment of purgatory, and hinders the entrance of heaven. 5. That there are three parts of penance,—contrition, confession, and satisfaction,—is not founded in the Sacred Scripture, nor in the ancient holy Christian doctors. 6. Contrition, which is prepared by discussion, collation, and detestation of sins, by which any man considers his years in the bitterness of his soul, weighing the enormity of his sins, their multitude, foulness, the loss of eternal happiness, and the incurring of eternal damnation, this contrition makes a hypocrite, nay, rather a sinner. 7. The truest proverb, and one surpassing all the doctrine hitherto given regarding contrition, that hereafter the highest penance will not suffice, the best penance is a

new life. 8. By no means presume to confess venial sins, nor even all deadly sins, because it is impossible that you should know all deadly sins: whence in the early church they only confessed manifest deadly sins. 9. Whilst we desire to confess all things purely, we do nothing else, than that we wish to leave nothing to the mercy of God to pardon. 10. Sins are not remitted to any one, unless he should believe them remitted: for the remission of sin and granting of grace suffices not, but it is necessary also to believe that it is remitted. 11. By no means trust that you are acquitted on account of your contrition, but for the word of Christ: *Whatsoever thou shalt loose*,[e] &c. Here, I say, trust, if you have obtained the absolution of a priest, and believe firmly that you are acquitted, and you will be truly acquitted, however it may be with contrition. 12. If through an impossibility, he who has confessed were not contrite, or if the priest absolved not seriously but in jest, if, nevertheless, he believe that he is absolved, he is most truly absolved. 13. In the sacrament of penance, and in the remission of guilt, the Pope or bishop does not more than the lowest priest; nay, to you he is not a priest; just as much would any Christian be, even though it were a woman or a boy. 14. No one ought to answer to a priest, that he is contrite, nor should a priest require it. 15. Great is the error of those, who approach the sacrament of the Eucharist, depending on this, that they are not conscious to themselves of any deadly sin, that they premised their prayers and preparatory (duties); all those persons eat and drink judgment to themselves. But if they believe and hope that they shall there obtain grace, this faith alone makes them pure and worthy. 16. It seems a thing advised that the Church should determine in common council that the laity should communicate under both species; nor are the Bohemians when communicating under both species heretics, but schismatics. 17. The treasures of the Church, whence the Pope grants indulgences, are not the merits of Christ and of the saints. 18. Indulgences are the pious frauds on the faithful, and remissions of good works, and are of the number of those things which are lawful, and not of the

[e] Matt. xvi. 19.

number of those which are expedient. 19. Indulgences avail not those who truly obtain them for the remission of the punishment due to divine justice for actual sins. 20. Those are led astray who believe that indulgences are salutary, and useful for spiritual fruits. 21. Indulgences are necessary only for public crimes, but are properly granted to the obdurate only and to the impatient. 22. To six classes of men indulgences are neither necessary nor useful: viz. to the dead or to those about to die, to the infirm, to those lawfully hindered, to those who have not committed crimes; to those who have committed crimes, but not public ones; to those who do better works. 23. Excommunications are only external penalties, nor do they deprive a man of the common, spiritual prayers of the Church. 24. Christians are to be taught to love excommunication more than to fear it. 25. The Roman Pontiff, successor of Peter, is not vicar of Christ instituted over all churches of the entire world by Christ himself in Saint Peter. 26. The word of Christ to Peter: *Whatsoever thou shalt loose on earth, &c.*[f] extends only to things bound by Peter himself. 27. It is certain that it is not at all in the power of the Church or of the Pope to determine articles of faith, nay neither the laws of morals nor of good works. 28. If the Pope thought so or so with a great part of the Church, and even did not err, still it is not a sin or heresy to think the contrary, especially in a matter not necessary unto salvation, until the one has been reprobated, the other approved by a universal council. 29. The way has been opened for us of breaking down the authority of councils, and of freely contradicting their transactions, and of judging their decrees, and of confidently confessing whatever seems true, whether it be approved or reprobated by any council soever. 30. Some articles of John Hus, condemned in the Council of Constance, are most Christian, true, and evangelical, which neither the universal Church could condemn. 31. In every good work the just man sins. 32. A good work done after the best manner is a venial sin. 33. That heretics should be burned is contrary to the will of the Spirit. 34. To contend against the Turks is to resist God, visiting our iniqui-

[f] Matt. xvi. 19.

ties through them. 35. No one is certain that he is not always sinning mortally, by reason of the most secret vice of pride. 36. Free will after sin is a thing of a mere name, and whilst it does that which is in it, it sins mortally. 37. Purgatory cannot be proved from Holy Scripture, which is in the canon. 38. Souls in purgatory are not secure of their salvation, at least all, nor is it proved by any, either reason or Scripture, that they are without the state of meriting or increasing charity. 39. Souls in purgatory sin without intermission, so long as they seek rest, and have a dread of punishments. 40. Souls freed from purgatory by the suffrages of the living are less beatified than if they had given satisfaction by themselves. 41. Ecclesiastical prelates and secular princes would not do ill if they all did away with all the sacks of mendicancy.

All and each of the aforesaid articles, or errors, as being, as is premised, respectively heretical or scandalous, or false, or offensive to pious ears, or suited to lead astray simple minds, or contrary to Catholic truth, we condemn, reprobate, and entirely reject, &c.

II.—CONDEMNATION OF THE BAIANS ERRORS, ETC.

(Bull of S. Pius V. an. 1567.)

Pius, bishop, servant of the servants, &c. Of all the afflictions which we, established in this place by the Lord, endure at so melancholy a time, this sorrow chiefly tortures our soul, that the Christian religion, long since agitated by so many whirlwinds, has to struggle daily with new opinions started, and the people of Christ, cut in pieces at the suggestion of the old enemy, is carried away indiscriminately and promiscuously into one error after the other. But as far as regards ourselves, we strive with all our might, that these, as soon as they bound forth, should be entirely put down; for we are affected with great sorrow, that most persons of otherwise tried probity and learning, burst forth into various sentiments full of offence and danger, both by word and by writing, and concerning them they dispute

[s] Cf. Hallam, Hist. of the Middle Ages, vol. iii. p. 550.

with each other, even in the schools, of which kind are the following:

1. Neither the merits of an angel or of the first man still undefiled are rightly called grace. 2. As a bad work is of its nature deserving of eternal death, so a good work is of its nature deserving of eternal life. 3. Both to good angels and to primitive man, if he had persevered in that state, even to the last period of life, happiness would be reward, and not grace. 4. Life eternal was promised to man yet pure, and to the angel, in regard of good works; and good works by the law of nature are sufficient of themselves to attain it. 5. In the promise made to the angel and to the first man are contained the natural constitution of justice, by which for good works, without any other respect, life eternal is promised to the just. 6. By the natural law it was ordained for man that, if he persevered in obedience, he should pass on to life eternal, in which he could not die. 7. The merits of the first man intact were the gifts of the first creation; but, according to the mode of speaking the Sacred Scriptures are not rightly called grace; whence it comes, that they ought only to be named merits, not grace. 8. In those redeemed by the grace of Christ, no good merit can be found, which is not conferred gratuitously on an unworthy object. 9. Gifts granted to man in a state of purity, and perhaps to an angel, may be called grace, for a reason not to be disapproved; but because, according to the use of Sacred Scripture, those gifts only are understood by the name of grace, which are conferred through Jesus Christ on those ill-deserving and unworthy; for this reason, neither merits, nor the reward which is rendered to them, ought to be called grace. 10. The payment of the temporal penalty, which often remains after the sin is remitted, and the resurrection of the body, is to be ascribed properly to the merits of Christ alone. 11. That we attain eternal life, in this mortal life, being preserved piously and justly even to the end, is to be set down not properly to the grace of God, but also to the natural ordinance established at the commencement of creation, by the just judgment of God; nor in this retribution of the good is respect had to the merit of Christ, but only to the first institution of mankind, in which it has been established by the natural law, that by the just judgment

of God, life eternal be rendered to obedience to his commands. 12. The opinion of Pelagius is, a good work done without the grace of adoption, is not deserving of the kingdom of heaven. 13. Good works done by the sons of adoption receive not the account of merit from this, that they are done by the spirit of adoption inhabiting the hearts of the sons of God; but only from this, that they are conformable to the law, and because by them obedience to the law is shown. 14. The good works of the just do not receive on the day of the last judgment a more ample reward, than they deserve to receive from the just judgment of God. 15. The notion of merit consists not in this, that he who does well has grace, and the Holy Spirit in-dwelling; but in this only, that he obeys the divine law. 16. That is not true obedience to the law, which is without charity. 17. Those think with Pelagius, who say, that it is necessary to the notion of merit, that man should be raised through the grace of adoption to a deific state. 18. The works of catechumens, as faith and penance done before the remission of sins, are deserving of eternal life, which life they shall not themselves attain, unless the impediments of preceding transgressions be first taken away. 19. The works of justice and of temperance, which Christ did, derived not greater value from the worthiness of the person operating. 20. There is no sin venial in its nature, but every sin merits eternal punishment. 21. The elevation and exaltation of human nature to a participation of the divine nature due to the integrity of the first state, and therefore is to be called natural, and not supernatural. 22. They think with Pelagius, who understand the apostle's text to the Romans II. *The gentiles, which have not the law, do by nature the things which are of the law*,[s] of those nations not having the grace of faith. 23. The opinion of those is absurd, who say, that by a certain supernatural and gratuitous gift, man has been exalted from the beginning above the condition of his nature, that by faith, and hope, and charity, he might worship God supernaturally. 24. By vain and idle men, according to the folly of philosophers, was devised the opinion, which is to be referred to Pela-

[s] Rom. ii. 14.

gianism, that man was so constituted from the beginning, that through the gifts superadded to nature he was exalted by the bounty of his Maker, and adopted as the son of God. 25. All the works of the unbelieving are sins, and the virtues of philosophers are vices. 26. The integrity of the first creation was not an exaltation undue to human nature, but its natural condition. 27. Free-will, without the aid of God's grace, avails only to commit sin. 28. It is a Pelagian error to say that free-will availeth to avoid any sin. 29. Not only are those thieves and robbers who deny Christ to be the way and the door of the truth and of life, but those also whosoever teach that it is possible to ascend by any other means than through him, to the path of righteousness (that is, any righteousness). 30. Or [who teach] that man can resist any temptation without the aid of His grace itself, so that he may not be led into it, or may not be overcome by it. 31. Perfect and sincere charity, which is from a pure heart and a good conscience, and from faith unfeigned, as well in catechumens as in penitents, may be without the remission of sins. 32. That charity, which is the fulfilment of the law, is not always combined with the remission of sins. 33. The catechumen lives justly, righteously, and in a holy manner, and observes the commands of God, and fulfils the law through charity, before he has obtained remission of sins, which is at length received in the fount of baptism. 34. That distinction of twofold love, to wit, the natural, with which God is loved as the author of nature, and of gratuitous love, with which God is loved as the beatifier, is idle and fictitious, and devised to mock the sacred writings, and very many testimonies of the ancients. 35. Everything soever which a sinner does, or a slave of sin, is a sin. 36. Natural love, which springs from the powers of nature, from philosophy alone, to the upraising of human presumption with injury to the cross of Christ, is defended by some doctors. 37. He thinks with Pelagius who recognizes any natural good, that is, any which derives its origin from the sole powers of nature. 38. Every love of the creature is a rational or vicious desire with which the world is loved, which is prohibited by John,[h] or that praiseworthy charity, with

[h] John ii. 15.

which, diffused in the heart by the Holy Spirit, God is loved. 39. What is done voluntarily, even though it be done necessarily, still is done freely. 40. In all his acts the sinner is subservient to a predominant desire. 41. That measure of liberty which is from necessity, is not found in the Scriptures under the name of liberty, but only the name of liberty from sin. 42. Justice, by which the wicked man is justified by faith, consists formally in obedience to the commands, which is the justice of works, but not in any grace infused into the soul, by which man is adopted as the son of God, and is renewed according to the interior man, and is rendered a sharer in the Divine nature, that, so renewed by the Divine Spirit, he may afterwards live well, and obey the commands of God. 43. In penitent men before the sacrament of absolution, and in catechumens before baptism, there is true justification; separate, however, from the remission of sins. 44. By most of the works which are done by the faithful merely that they may obey the commands of God, such as to obey parents, to return a deposit, to abstain from homicide, theft, fornication, men are indeed justified, because they are obedience to the law, and true justice of the law; by these, however, they do not obtain increase of virtues. 45. The sacrifice of the mass is a sacrifice in no other way than in that general way by which every work is so, which is done that man may cling unto God by a holy alliance. 46. Voluntary appertains not to the notion and definition of sin; nor is it a question of definition, but of cause and origin, whether every sin ought to be voluntary. 47. Whence the sin of origin has truly in it regard to sin, without any regard and respect to the will, from which it had its origin. 48. The sin of origin is voluntary by the habitual will of the child, and habitually prevails in that child, because a contrary choice of the will is not maintained. 49. And from the habitual will prevailing, it happens that the child departing without the sacrament of regeneration, when he shall have attained the use of reason, actually holds God as an object of hatred, blasphemes God, and resists the law of God. 50. Evil desires, to which reason does not consent, and to which man is reluctantly subject, are prohibited by the commandment, *Thou shalt not covet*. 51. Concupiscence, or the law of the members, and its wicked desires

which men unwillingly feel, are true disobedience to the law. 52. Every wickedness is of that condition, that it may infect its author and all posterity in that manner in which the first transgression infected. 53. As far as it depends on the force of transgression, so much of bad deserts do they contract from the parent who are born with lesser vices, as those who are born with greater. 54. This decisive sentence, that God commanded nothing impossible to man, is falsely attributed to Augustin, whilst it belongs to Pelagius. 55. God could not from the beginning create man such as he is now born. 56. In sin there are two things, act and guilt; but the act passing away, nothing remains but the guilt, or the obligation to punishment. 57. Whence in the sacrament of baptism or the absolution of the priest, the guilt of sin only is taken away, and the ministry of the priests alone frees from sin. 58. The penitent sinner is not enlivened by the ministering of the priest absolving, but by God alone, who, suggesting and inspiring penitence, quickeneth and resuscitates him, but by the ministry of the priest the guilt is only taken away. 59. When by almsgivings and other works of penitence, we satisfy God for temporal punishments, we do not offer to God a condign price for our sins, as some erring persons think (for otherwise we should be, at least in some measure, redeemers), but we do something in regard of which the satisfaction of Christ is applied and communicated to us. 60. Through the sufferings of the saints, communicated in indulgences, our transgressions are strictly redeemed, but by the communion of charity their sufferings are imparted to us, that we may be worthy to be free from the punishments due for sins by the price of Christ's blood. 61. That distinction of doctors, that the commands of the divine law are fulfilled in two ways,—in one way with respect merely to the substance of the works enjoined; in the other, in reference to a certain manner, according to which they may be conducive to lead the person performing them to the eternal kingdom (that is, after the maner of merits), is fictitious and to be exploded. 62. That distinction, also, by which a work is said to be good in two ways, either because from the object and all the circumstances it is directly good (which they used to call morally good), or because it is deserving of the eternal kingdom for

this reason, because it is from a living member of Christ through the spirit of charity, is to be rejected. 63. But that distinction also of double justice—of the one, which takes place through the in-dwelling spirit of charity; of the other, which is formed from the inspiration of the Holy Spirit exciting the heart to repentance, but not yet dwelling in the heart, and diffusing charity in it, by which the justification of the divine law may be fulfilled, is in like manner rejected. 64. In like manner, also, that distinction of a twofold quickening,—the one, by which the sinner is quickened, whilst repentance and the purpose and commencement of a new life is inspired into him by the grace of God; of the other, by which he who is truly justified is quickened, and rendered a shoot in the vine by Christ, is equally fictitious, and not at all agreeable to the Scriptures. 65. Any good or not bad use of a free will can be admitted only by a Pelagian error, and he who so thinks and teaches commits an outrage against the grace of Christ. 66. Violence alone is incompatible with the natural liberty of man. 67. Man sins even to his own damnation in that which he does through necessity. 68. Infidelity purely negative in those in whom Christ is not preached is a sin. 69. The justification of the ungodly is made formally by obedience to the law, but not by the secret communication and inspiration of grace, which may cause those justified through it to fulfil the law. 70. Man being in mortal sin, or in the guilt of eternal damnation, may have true charity, and even perfect charity may be compatible with the guilt of eternal damnation. 71. By contrition, even joined with perfect charity, and with a desire to receive the sacrament, crime is not remitted, exclusive of the case of necessity or martyrdom, without the actual receiving of the sacrament. 72. All the afflictions of the just are entirely revenge for their sins; whence Job and the martyrs suffered what they did suffer for their sins. 73. No one but Christ is without original sin; hence the Blessed Virgin died on account of the sin contracted from Adam, and all her afflictions in this life, as of the other just also, were revenge for actual or original sin. 74. Concupiscence in those born again who relapsed into mortal sin, in whom it is now predominant, is a sin, as are also other evil habits. 75. The evil emotions of concupiscence are, for

the state of man corrupted, prohibited by the commandment, *Thou shalt not covet;* whence man feeling them, and not consenting, transgresses the commandment, *Thou shalt not covet*, although the transgression may not be set down as sin. 76. As long as anything of carnal concupiscence is in one loving, he does not perform the commandment, *Thou shalt love the Lord thy God, with thy whole heart.* 77. The laboured satisfactions of the justified avail not condignly to expiate the temporal punishment which remains after guilt is pardoned. 78. The immortality of the first man was not a benefit of grace, but a natural condition. 79. The opinion of doctors is false, that the first man could be created by God, and instituted without natural justice.

Which opinions, indeed, having been strictly examined before us, although some of them might be sustained by some means, in the strict and proper sense of the words intended by the assertors, we condemn, circumscribe, and abolish, by the authority of these presents, as heretical, erroneous, suspicious, rash, scandalous, and as giving offence to pious ears respectively, and all things soever that may be published regarding them by word and by writing; and we interdict to all persons soever the power of hereafter speaking, writing, and disputing in any manner soever regarding the same and such like. Whosoever shall act in the contrary way, etc.

Given at Rome, at Saint Peter's, in the year of the incarnation of our Lord 1567, on the calends of October, on the second year of our pontificate.

III. — CONDEMNATION OF THE ERRORS OF JANSENIUS.

Bull of Innocentius X. against the Five Propositions.

Innocentius, bishop, servant of the servants of God, to all the faithful in Christ, health and apostolical benediction. When, on the occasion of the printing of a book entitled, *The Augustinus of Cornelius Jansenius, bishop of Ypres*, among other opinions of his, a controversy arose, especially in Gaul, regarding five of them: several bishops of Gaul urged upon us, that we should duly consider the same propositions presented to us, and that we should deliver a defined and clear judgment concerning each one of them.

But the tenor of the above-named propositions is as follows:—

1. Some commands of God are impossible to just men, though willing and endeavouring (to fulfil them), according to the strength they possess at present; the grace also is deficient, by which they may become possible.

2. Inward grace in the state of fallen nature is never resisted.

3. To merit and to demerit in a state of fallen nature, freedom from necessity is not required in man, but freedom from compulsion is sufficient.

4. The Semipelagians admitted the necessity of preventing inward grace for single acts, even for the beginning of faith, and in this they were heretics, that they would have it that that grace was such, as human will might resist or comply with.

5. It is semipelagian to say, that Christ died or shed his blood for all men entirely.

We, who, amid the manifold cares which constantly harass our mind, were especially anxious that the church of God committed to us from on high, the errors of depraved opinions being removed, might proceed in safety, and as a ship in a calm sea, the waves and storms of all tempests being appeased, might sail on in security, and gain the wished-for haven of salvation, considering the importance of the thing, in the presence of some cardinals of the holy Roman Church, specially and frequently assembled for the purpose, and in the presence of several masters in sacred theology, caused the same five propositions presented to us as above to be carefully examined one by one, and we maturely considered their suffrages, taken as well *vivâ voce* as in writing, and heard the same masters, various assemblies having been held in our presence, descanting at full length on the same, and on each one of them.

But when from the commencement of such discussions, we both privately and also publicly indicted the prayers of the many faithful in Christ to implore the divine aid, the same being afterwards repeated with still greater fervour, and the presence of the Holy Ghost being anxiously implored by us; at length, by favour of the Divine Being, we came to the declaration and definition below written.

The first of the aforesaid propositions: Some commandments of God are impossible to just men, though willing and endeavouring, according to the present strength which they possess; they even want the grace by which they may become possible: we declare to be rash, impious, blasphemous, condemned with anathema and heretical, and as such we condemn it.

The second: Inward grace in a state of fallen nature is never resisted: we declare to be heretical, and as such condemn it.

The third: To merit and to demerit in a state of fallen nature, freedom from necessity is not required in man, but freedom from compulsion suffices: we declare to be heretical, and as such we condemn it.

The fourth: The Semipelagians admitted the necessity of preventive interior grace for every single act, even for the beginning of faith, and in this they were heretics, because they would have that grace to be such, as that human will could resist or comply with it: we declare to be false and heretical, and as such condemn it.

The fifth: It is semipelagian to say, that Christ died or shed his blood for all men: we declare to be false, rash, scandalous, and understood in that sense, that Christ died for the salvation only of the predestined, impious, blasphemous, contumelious, derogating from divine goodness, and heretical, and as such we condemn it.

We command, therefore, all the faithful in Christ, of both sexes, that they presume not to think of the aforesaid propositions, to teach, to preach otherwise than is contained in this our present declaration and definition, under the censures and penalties expressed in the law against heretics and their abettors.

We equally instruct all patriarchs, archbishops, bishops, and other ordinaries of places, as also all inquisitors into heretical perverseness, by all means to restrain and keep in check all contradictory and rebellious persons whatsoever by censures and the penalties aforesaid, and the other convenient remedies of law and fact, the aid of the secular arm being called in for this purpose, if it should be necessary.

Not intending, however, by this declaration and definition, made on the five aforesaid propositions, to approve in

any degree other opinions, which are contained in the aforesaid book of Cornelius Jansenius.

Given at Rome, at Saint Mary Major's, in the year of the incarnation of our Lord 1653, the day before the calends of June, the ninth year of our pontificate.

CONDEMNATION OF THE ERRORS OF PASCHASIUS QUESNELL.

Bull of Clement X.

Clement, bishop, servant of the servants of God, to all the faithful in Christ, health and apostolical benediction.

The only-begotten Son of God, for our salvation and that of the whole world, having become the son of man, whilst he was instructing his disciples in the doctrine of truth, and educating his whole Church in the apostles, arranging the present and providing for the future, by a splendid and most wholesome lesson admonished us, that we should take heed from false prophets, who come to us in sheep's clothing, in whose name chiefly are pointed out those lying masters, and dealers in deception, who lurkingly insinuating their perverse dogmas under the splendid garb of piety, introduce sects of perdition under the show of sanctity, and that they may steal the more easily on the incautions, as if laying aside the wolf's skin, and wrapping themselves up in the sentences of the divine law, as in the fleeces of sheep, wickedly abuse the words of the holy Scriptures, and accordingly those of the New Testament itself, which they wrest in many ways to their own destruction and that of others; taught forsooth by the example and tutorage of the old father of lies, from whom they are descended, that there is no shorter or readier way to deceive, than that where the fraud of nefarious error is surreptitiously introduced, there the authority of the divine word should be held out as a pretext.

Instructed by these truly divine admonitions, as soon as we heard, not without the innermost bitterness of our heart, that a certain book some time since printed in the French language, and distributed into several volumes, entitled, "*Le Nouveau Testament en François, avec des reflexions morales sur chaque vers, etc., à Paris*, 1699:" otherwise: "*Abrégé de la morale de l'Evangile, des Actes des Apôtres, des Epîtres de S. Paul, des Epîtres canoniques et de l'Apocalypse; ou Pensées*

chrétiennes sur le texte de ces livres sacres, etc., à Paris, 1693 *et* 1694," though previously condemned by us, and blending in many ways the lies of perverse doctrines with Catholic truths, was still considered by many as free from any error, was in every direction forced into the hands of the faithful of Christ, and was disseminated everywhere with too much avidity by the contrivance and exertions of some always striving for innovation, having been even rendered into Latin, in order that the contagion of the pernicious instruction may if possible pass from nation to nation, and from kingdom to kingdom, we felt the greatest concern that the flock of the Lord intrusted to our charge should be imperceptibly led away into the road of perdition by wily seductions and fraud of this kind, and excited not less by the incentives of our pastoral solicitude, than by the frequent complaints of orthodox believers, but especially by the letters and entreaties of several of our venerable brethren, particularly of the bishops of Gaul, we have determined to oppose by some more effectual remedy the spreading disease, which might even at some future time induce still worse consequences.

And on directing our careful attention to the consideration of the very cause of the evil, we clearly discovered that the chief ruin from this book progressed and gained strength mainly because it lay concealed within, and like foul corruption cannot obtain vent except by cutting down on the ulcer, as the book itself at its first appearance entices its readers by a certain show of piety; for its words are rendered as it were emollient with oil, whilst they are in reality arrows, and coming from a well-strung bow,[i] so prepared for mischief, that they transfix in secret those straight of heart. Accordingly we thought that nothing more opportune or more conducive to health could be done by us than if we were to present a more distinct and clear exposition of the fallacious doctrine of the book, which hitherto has been merely alluded to in a general way by us, by selecting from it several propositions one by one, and by uprooting from the middle of the wheat[k] with which they were covered, and placing before the eyes of all the faithful of Christ the

[i] Cf. Ps. xi. 2.

[k] See Matth. xiii. 3.

noxious seeds of the tares. Thus, forsooth, the errors being laid bare and openly exposed, not indeed one or two of them, but a great many of them, and those of the most serious import, both those which were formerly condemned, and also those newly devised, we plainly trust that with God's blessing all will at length be forced to yield to the open and manifest truth.

That this same measure would contribute very much to the Catholic interest, and that it would be of singular efficacy in quieting the dissensions which have arisen, more especially in the flourishing kingdom of Gaul, from the varying bent of different minds which seemed inclined to proceed to still more serious lengths—that it would prove extremely useful, and in a manner necessary for effecting the peace of conscience, we have been repeatedly assured not only by the bishops above mentioned, but also by our particularly dear son in Christ, Lewis the most Christian king of the French, whose extraordinary zeal in defending the purity of the Catholic faith, and in extirpating errors, we cannot sufficiently commend, he having repeatedly evinced acts of duty truly pious and highly becoming a most Christian prince, and having most earnestly called on us, that we should consult for the urgent necessity of souls by promulgating with all speed the censure of our apostolical judgment.

Hence confiding in the favour of the Lord, and in his heavenly aid, we have set about the salutary work with that sedulous and diligent care which the importance of the task demands, and having faithfully extracted very many propositions from the aforesaid book according to the editions above recounted respectively, propositions expressed both in the Latin and French idiom, we have commanded them to be discussed carefully by several masters in sacred theology, first indeed in presence of two of our venerable brethren, cardinals of the holy Roman Church, but then in presence of ourselves, the counsel of several other cardinals being also invited, with the greatest care and maturity; a collation moreover of each and every one of the propositions being most scrupulously made with the text of the book itself, and several to be well weighed and examined in different and repeated congregations.

THE HUNDRED AND ONE CONDEMNED PROPOSITIONS ARE AS FOLLOW:

1. What else remaineth unto the soul which has lost God and his grace, save only sin, and the consequences of sin, proud poverty and lazy indigence, that is a general incapacity for labour, for prayer, and for every good work. *This proposition is found in the moral observations of Quesnell, on Luke* xvi. 3.

2. The grace of Jesus Christ, the efficient beginning of good of every kind soever, is necessary for every good work; without it not only nothing is done, but likewise nothing can be done. On John xv. 5. Ed. 1693.

3. In vain, O Lord, dost thou command, if thou thyself givest not what thou commandest. Acts xvi. 10.

4. Thus, O Lord, are all things possible to him, to whom thou makest all things possible, by working the same things in him. Mark ix. 22.

5. When God softeneth not the heart by the inward anointing of his grace, exhortations and outward graces serve not, save to harden it the more. Rom. ix. 18. Ed. 1693.

6. The difference between the Jewish and Christian covenant is, that in the former God requireth the shunning of sin, and the fulfilment of the law from the sinner, by leaving him in his own incapability; but in the latter, God giveth unto the sinner that which he commandeth, by purifying him with his own grace. Rom. xi. 27.

7. What advantage for men is there in the old covenant, in which God left him to his own infirmities, imposing upon him his own law? But what happiness is it not to be admitted into a covenant, in which God doth bestow on us that which he seeketh from us? Hebr. viii. 7.

8. We appertain not unto the new covenant, save in as far as we are partakers of the new grace thereof, which worketh within us that which God doth enjoin unto us. Hebr. viii. 10.

9. The grace of Christ is the supreme grace, without which we are never able to confess Christ, and with which we never can deny him. 1 Cor. xii. 3. 1693.

10. Grace is the operation of the hand of Almighty God, which nothing can hinder or retard. Matt. xx. 34.

11. Grace is nothing else than the will of Almighty God, ordering, and doing that which he doth order. Mark ii. 11.

12. When God willeth to save a soul, at what time and in what place soever, the effect unhesitatingly followeth the will of God. *Ibid.*

13. When God willeth to save a soul, and toucheth it with the inward hand of his grace, no human will can resist him. Luke v. 13. 1693.

14. How far soever an obstinate sinner be removed from salvation, when Jesus presenteth himself to be beheld by him in the salutary light of his grace, it must be that he give himself up, run forward, humble himself, and adore his Saviour. Mark v. 1693.

15. When God accompanieth his command, and his outward speaking, by the anointing of his spirit and the inward force of his grace, he worketh in him that obedience which he seeketh. Luke ix. 60.

16. There are no delights which yield not to the delights of grace, seeing that nothing resisteth the Almighty. Acts viii. 12.

17. Grace is that voice of the Father, which inwardly teacheth men, and maketh them come unto Jesus Christ; and whosoever cometh not unto him after he hath heard the outward voice of the Son, is in no wise instructed of the Father. John vi. 45.

18. The seed of the word, which the hand of God watereth, ever bringeth forth its fruit. Acts xi. 21.

19. The grace of God is nothing else but his almighty will: this is the idea which God himself hath handed down to us in all his scriptures. Rom. xiv. 4. 1693.

20. The true idea of grace is, that God wills that he be obeyed by us, and is obeyed; commandeth, and all things are done; the Lord but speaketh, and all things are subjected unto him. Mark iv. 39.

21. The grace of Jesus Christ is a strong, powerful, supreme, invincible grace, inasmuch as it is the operation of the Almighty will, the following and imitation of the operation of God, incarnating and raising again his son. 2 Cor. v. 21. 1693.

22. The agreement of the almighty will of God in the heart of man with the free consent of his own will, is

straightway proved unto us in the incarnation, as a fount and archetype of all other operations of mercy and grace, all which are gratuitous, and so depending upon God, as the original operation itself. Luke i. 48.

23. God himself hath delivered unto us the idea of the almighty operation of his grace, signifying it by that which produceth creatures out of nothing, and restoreth life to the dead. Rom. iv. 17.

24. The just idea which the centurion has of the omnipotence of God and Jesus Christ in healing bodies by the sole motion of his will, is the image of the idea which ought to be held touching the omnipotence of his grace in healing souls from avarice. Luke vii. 7.

25. God illuminates the soul, and healeth it as well as the body, by his will alone; he commandeth, and he is obeyed. Luke xviii. 42.

26. No graces are given, save through faith. Luke viii. 48.

27. Faith is the first grace, and the fountain of all others. 2 Pet. i. 3.

28. The first grace which God grants to a sinner, is the remission of sins. Mark xi. 25.

29. Beyond the Church no grace is granted. Luke x. 35-6.

30. All whom God willeth to save through Christ, are infallibly saved. John vi. 40.

31. The desires of Christ always have their effect; he bringeth peace into the inwardest parts of [men's] hearts, when he wisheth it for them. John xx. 19.

32. Jesus Christ delivered himself unto death, to liberate for ever by his blood the first born, that is, the elect, from the hand of the destroying angel. Gal. iv. 4, 5, 6, 7.

33. Alas! How doth it behove a man to have renounced earthly goods, and even himself, that he may, so to speak, have confidence to appropriate Christ unto himself, his love, death, and mysteries, as doth holy Paul, when he saith: *who loved me, and gave himself for me.* Gal. ii. 20.

34. The grace of Adam only produced human merits: 2 Cor. v. 21. 1693.

35. The grace of Adam is the sequel of creation, and was due to a healthy and intact nature. 2 Cor. v. 21.

36. The essential difference between the grace of Adam and a state of innocence, and Christian grace, is, that every

one soever would have received the first in his own person; but the other is not received, save in the person of Jesus Christ raised from the dead, to whom we are united. Rom. vii. 4.

37. The grace of Adam, by sanctifying him in himself, was proportioned to him; the Christian grace, by sanctifying us in Jesus Christ, is omnipotent, and worthy the Son of God. Eph. i. 6.

38. A sinner is not free, save unto evil, without the grace of him that freeth. Luke viii. 9.

39. The will, which grace preventeth not, hath no light, save to lead astray; no warmth, save to hurry itself headlong; no strength, save to wound itself; is capable of every evil, and incapable of any good. Matth. xx. 3, 4.

40. Without grace we can love nothing, save unto our condemnation. 2 Thess. iii. 18. 1693.

41. All knowledge of God, even natural, even among Pagan philosophers, cannot come, save from God, and without grace it produceth nought save presumption, vanity, and opposition to God himself, instead of the affections of adoration, gratitude, and love. Rom. i. 19.

42. The grace of Christ alone renders man fit for the sacrifice of faith; without this is nothing but impurity; nothing but unworthiness. Acts xi. 9.

43. The first effect of baptismal grace is to cause that we be so dead unto sin, that our spirit, heart, senses have no more of life for sin than a dead man has for the things of the world. Rom. vi. 2. 1693.

44. There are but two loves, from whence all our wills and actions spring: the love of God, which does all things for the sake of God, and which God rewards; and the love by which we love ourselves and the world, which refers not to God what should be referred to God, and on this very account is evil. John v. 29.

45. The love of God no longer reigning in the heart of sinners, it is necessary that carnal desire reign in it, and corrupt all his actions. Luke xv. 13. 1693.

46. Avarice or charity renders the use of the senses good or bad. Matth. v. 28.

47. Obedience to the law ought to proceed from a fountain, and this fountain is charity. When the love of God

is its inward beginning, and the glory of God its end, then that is pure which appeareth outwardly: otherwise it is nought but hypocrisy or false righteousness. Matt. xxv. 26. 1693.

48. What else can we be, but darkness, but wandering, and sin, without the light of faith, without Christ, and without charity. Eph. v. 8.

49. As no sin is without our own self-love, so is no good work without the love of God. Mark vii. 22, 23.

50. In vain do we cry unto God, "*my father*," if that which crieth be not the spirit of charity. Rom. viii. 15.

51. Faith justifieth, when it operates; but it does not itself operate, save through charity. Acts xiii. 39.

52. All other means of salvation are contained in faith, is in its own proper germ and seed; but this faith is not apart from love and confidence. Acts x. 43.

53. Charity alone in Christian wise maketh [actions Christian] through relation to God and Jesus Christ. Coloss. iii. 14.

54. It is charity alone which speaketh unto God; God heareth his alone. 1 Cor. xiii. 1.

55. God crowneth nought but charity; he that runneth from another impulse or motive runneth in vain. 1 Cor. ix. 24.

56. God rewardeth only charity, because charity alone honoureth God. Matth. xxv. 36.

57. Everything is wanting to the sinner, when hope is wanting to him; and there is no hope in God, where there is not the love of God. Matth. xxvii. 5.

58. Neither God, nor religion, is there, where charity is not. 1 John iv. 8.

59. The prayer of the ungodly is a new sin, and what God [thereupon] doth grant to them, is a new judgment against them. John x. 25. 1693.

60. If the fear of punishment alone excites penitence, the more violent it (penitence) is, so much the more doth it lead to desperation. Matth. xxvii. 5.

61. Fear restraineth but the hand, but the heart is devoted to sin so long as it is not led by the love of justice. Luke xx. 19.

62. He who abstains not from evil, save through the fear of punishment, commits that [evil] in his heart, and is already guilty before God. Matth. xxi. 46.

63. The baptized is still under the law, as the Jew, if he fulfil not the law, or fulfil it from fear only. Rom. vi. 14.

64. Under the malediction of the law, good never happens, because sin is committed either by doing evil, or by avoiding it only through fear. Gal. v. 28.

65. Moses, the prophets, the priests, and doctors of the law, are dead, save in that they have given any son unto God, seeing they have not effected, save only slaves unto fear. Mark xii. 19.

66. He who will fain approach God, must neither come unto him with brutish passions, nor be led by natural instinct, or by fear, like beasts, but by faith and love, as sons. Hebr. xii. 26. 1693.

67. Slavish fear does not represent God unto itself, but as a hard, imperious, unjust, untractable master. Luke xix. 21. 1693.

68. The goodness of God hath shortened the way unto salvation, by closing up the whole [matter] in faith and in prayers. Acts ii. 21.

69. Faith, the use, increase, and reward of faith, is all the gift of the pure liberality of God. Mark ix. 22.

70. God never afflicts the innocent, and afflictions always serve either to punish sin, or to purify the sinner. John ix. 3.

71. Man for his own preservation may give himself a dispensation from that law which God founded for his advantage. Mark ii. 28.

72. The mark of the Christian Church is, that it is catholic, comprehending both all the angels of heaven, and all the elect, and the just of the earth and of all ages. Hebr. xii. 22, 23, 24.

73. What is the Church, but the assemblage of the sons of God, remaining in her bosom, adopted in Christ, subsisting in his person, redeemed with his blood, living in his spirit, acting through his grace, and awaiting the grace of the time to come? 2 Thess. i. 1, 2. 1693.

74. The Church, or the entire Christ, hath the incarnate Word as the head, but all the holy as members. 1 Tim. iii. 16.

75. The Church is one sole man, made up of many members, whereof Christ is the head, life, subsistence, and per-

son; one sole Christ made up of many holy, whereof he is the sanctifier. Eph. ii. 14, 15, 16.

76. Nothing is more spacious than the Church of God, seeing that all the elect and just of all ages compose it. Eph. ii. 22.

77. He who leads not a life worthy a son of God and a member of Christ, ceases meanwhile to hold God as his father, and Christ as his head. 1 John ii. 24. 1693.

78. A man is separated from the elect people, of which the Jewish people was a type, and Jesus Christ is the head, as well by not living according to the Gospel, as by not believing the Gospel. Acts iii. 23.

79. It is useful and necessary at every time, in every place, and for every kind of persons, to study and know the spirit, piety, and mysteries of sacred Scripture. 1 Cor. xiv. 5.

80. The reading of sacred Scripture is for all. Acts viii. 28.

81. The obscurity of the holy word of God is not a reason for the laity to excuse themselves from the reading thereof. Acts viii. 31.

82. The Lord's day ought to be sanctified by Christians with the readings of piety, and above all, of the holy Scriptures. It is damnable to wish to restrain a Christian from such reading. Acts xv. 21.

83. It is an illusion to persuade oneself that a knowledge of the mysteries of religion ought not to be communicated to females by the reading of the sacred books. The abuse of the Scriptures has arisen, and heresies have sprung up, not from the simplicity of women, but from the haughty knowledge of men. John iv. 26.

84. To snatch the New Testament out of the hands of Christians, or to keep it closed to them, by taking from them that method of understanding it, is to shut the mouth of Christ against them. Matt. v. 2.

85. To interdict to Christians the reading of sacred Scripture, especially of the Gospel, is to interdict the use of light to the sons of light, and to cause them to suffer a certain kind of excommunication. Luke xi. 33. 1693.

86. To snatch from the simple people this consolation, of joining their voice to the voice of the whole Church, is a custom contrary to the apostolic practice, and to the intention of God. 1 Cor. xiv. 16.

87. The manner full of wisdom, light, and charity, is, to give souls time to bear and feel a state of sin with humility, to seek a spirit of penitence and contrition, and to begin, at least, to satisfy the justice of God, before they are reconciled. Acts viii. 9.

88. We know not what is sin and true penitence, when we wish to be straightway restored to the possession of those goods of which sin hath despoiled us, and shun to endure the confusion of that separation. Luke xvii. 11, 12.

89. The fourteenth step to the conversion of a sinner is, that when he is already reconciled, he has the right of assisting at the sacrifice of the Church. Luke xv. 23. 1693.

90. The Church hath authority to excommunicate, so that it may exercise the same through its chief pastors, with the consent, at least, first obtained, of the whole body. Matt. xviii. 17.

91. The fear of unjust excommunication ought never to hinder us from fulfilling our duty; we are never [effectually] removed from the Church, even when we seem expelled from it by the wickedness of men, seeing we are by charity affixed to God, Jesus Christ, and the Church itself. John ix. 22, 23.

92. Rather to suffer excommunication and unjust anathema in peace, than to betray the truth, is to imitate the holy Paul; so far is it from being [so] to upraise oneself against authority, or to sever unity. Rom. ix. 3.

93. Jesus doth sometimes heal wounds, which the headlong haste of the chief pastors inflicts without his command. Jesus restoreth what they themselves have severed through inconsiderate zeal. John xviii. 11.

94. Nothing excites a worse opinion of the Church among its enemies, than to see dominion exercised therein over the faith of the faithful, and that divisions should be cherished on account of matters which harm neither faith nor manners. Rom. xiv. 16.

95. To such a pass have truths come, that they are, as it were, a foreign tongue unto most Christians, and the manner of preaching them is as an unknown dialect, so removed is it from the simplicity of the apostles, and so beyond the common understanding of the faithful; nor is it sufficiently perceived, that this falling off is one of the most sensible

signs of the old age of the Church, and of the anger of God against his sons. 1 Cor. xiv. 21. 1699.

96. God permits that all powers be opposed to the preachers of the truth, to the end that his victory may be attributed only to the Divine grace. Acts xvii. 8.

97. It too often happens, that those members which are more holily and more strictly united to the Church, are looked upon and treated as unworthy, so that they should be in the Church, even as separated from it; but the just lives by faith, and not from the opinion of men. Acts iv. 11.

98. The state of persecution and punishments, which any one endures, as if a wicked and impious heretic, is, for the most part, the last and most meritorious probation, as being the one which renders a man most like unto Jesus Christ. Luke xxii. 37.

99. Pertinacity, prevention, obstinacy in being unwilling either to examine anything, or to perceive that one has been deceived, do daily, in the case of many, change into the odour of death that which God placed in his Church to be therein the odour of life, to wit, good books, instructions, holy examples, &c. 2 Cor. ii. 16.

100. The deplorable season, in which it is believed that God is honoured by persecuting truth and its disciples, this time hath arrived. . . . To be held and treated by the ministers of religion as impious, and unworthy all commerce with God, as a rotten member, capable of corrupting all in the society of the holy, is, for pious men, a death more terrible than the death of the body. In vain does any one flatter himself respecting the purity of his intentions, and a certain zeal for religion, by persecuting good men with fire and sword, if he is blinded by his own passion, or carried away by another's, because he is unwilling to examine anything. We frequently believe we sacrifice the impious one to God, and sacrifice the servant of God to the devil. John xvi. 2.

101. Nothing is more opposed to the Spirit of God, and the teaching of Jesus Christ, than to make common oaths in the Church, seeing this is to multiply the opportunities for perjury, to stretch out snares for the weak and uneducated, and to cause that the name and truth of God some time serve the counsel of the wicked. Matt. v. 37.

Having heard, therefore, the suffrages of the above-mentioned cardinals and other theologians exhibited to us both by word of mouth as well as in writing, and having invoked the protection of the divine light by proclaiming private and public prayers to that end, we by this our constitution, destined to be in effect for ever, declare, condemn, and reprobate all and each of the previously inserted propositions as false, captious, ill-sounding, offensive to pious ears, scandalous, pernicious, rash, injurious to the Church and her practice, and contumelious not only to the Church, but also to the secular powers; seditious, impious, blasphemous, suspected of heresy, and savouring of heresy itself, and also as abetting heretics and heresies, and also schism, erroneous, near akin to heresy, several times condemned, and finally heretical, and manifestly renewing respectively various heresies, and those particularly which are contained in the infamous propositions of Jansenius, taken, however, in that sense in which they have been condemned.

We command all the faithful in Christ of both sexes not to presume to think of the aforesaid propositions, to teach them, to preach them otherwise than is contained in this same our constitution; so that whosoever shall teach, defend, publish them or any of them, conjointly or separately, or shall treat of them publicly or privately, even by way of disputing, unless perhaps for the purpose of impugning them, let him by the very fact, without other declaration, lie under ecclesiastical censures, and other penalties enacted by law against those perpetrating such acts.

But by the express reprobation of the aforesaid propositions, we do not by any means intend to approve of other things contained in the same book, especially since in the course of examination we detected in it several other propositions similar and near akin to those which have been condemned as above, and imbued with the same errors, and indeed not a few encouraging disobedience and obstinacy under a certain imaginary pretext of persecution, which is as it were spreading at the present day, and crying those up under the false name of Christian forbearance; which therefore to recount individually we considered to be both too tedious and by no means necessary, and finally, a thing which is still more intolerable, the sacred text of the New Testa-

ment itself corrupted in a manner deserving of condemnation, and conformable in many respects to the other Gallican version (Montensi) long since reprobated; but in many ways differing and wandering from the Vulgate edition, which has been approved in the Church by the experience of so many ages, and which ought to be accounted by all the orthodox as authentic, and in many ways wrested into strange, exotic, and oftentimes injurious senses, not without the greatest perversity.

The same book, therefore, as being one which by its sweet words and benedictions, as the apostle says, that is, which, under the false semblance of pious instruction, is well calculated for leading astray the hearts of the innocent, whether bearing the preceding title, or any other title whatsoever, wheresoever, or in what other language soever, or in what edition soever, or version hitherto printed, or hereafter to be printed (which Heaven forbid), by apostolic authority, by the tenor of these presents we once more prohibit and in like manner condemn, as also all other books, and every such book published in its defence, whether in manuscript or in print, or perhaps (which God avert) books or pamphlets to be published, and the reading, copying, the retaining and use of such we prohibit in like manner, and interdict to all and every one of the faithful in Christ, under pain of excommunication, to be by the very fact incurred by those acting in a contrary way.

We command, moreover, our venerable brethren the patriarchs, archbishops, and bishops, and other ordinaries of places, as also the inquisitors of heretical depravity, that they by all means coerce and keep in check all contradictory and refractory persons whatsoever by the above-mentioned censures and penalties, and by the other remedies of law and fact, the aid of the secular arm being appealed to, if it should be necessary.

But we desire, &c. But let it be lawful for no one, &c. In the year of the incarnation of our Lord 1713, 6th of the ides of September, in the 8th year of our pontificate.

Pius, bishop, servant of the servants of God, to all the faithful in Christ, health and apostolical benediction.

The apostle[j] commands us, beholding Jesus, the author and consummator of our faith, sedulously to consider what and how great contradiction he sustained from sinners against himself, lest, wearied out by hardships and dangers, we may at length fail in our spirits, and in a manner sink. That we be fortified and strengthened by this most wholesome reflection is then most necessary, when against the body itself of Christ, which is the Church,[k] the tide of that dread conspiracy which is never to cease rages more intensely, that comforted by the Lord, and in the power of his might, protected by the shield of faith, we may be able to resist in the evil day, and to extinguish[l] all the fiery weapons of the most unjust. In this commotion of the times, in this most perturbed overturning of all things, all good men have to undergo a serious struggle against all the enemies of the Christian name, of what kind soever; we a still more serious one, on whom, in consideration of the care and management of the entire flock committed to our pastoral solicitude, a greater zeal for the Christian religion is incumbent[m] than upon all others. But in this very weight of the burden which has been placed on our shoulders, that of bearing the burdens of all who are oppressed, the more we are conscious to ourselves of our own weakness, into so much the firmer hope does the divinely established principle of the apostolic duty instituted in the person of Saint Peter, raise and exalt us, that he who was never to abandon the government of the Church once delivered to him by Christ, should not cease to carry the burdens of apostolic government among those whom God had given to him to be protected by perpetual succession, and to be guarded as his heirs.

And amid these miseries which surround us on all hands, it has been added as an accumulation of all our other troubles, that from that quarter whence we should rejoice, from thence we should derive greater sorrow; inasmuch as when[n] any governor in the sacred Church of God under the name of priest turns away the very people of Christ from the path of truth into the precipice of a devious persuasion,

[j] To the Heb. xii. 4.
[k] Ad Coloss. i. 18.
[l] Ad Ephes. vi. 16.
[m] S. Siricius ad Himerium Tarac. Epist. i. apud Const.
[n] S. Cœlestinus I. ep. xii. apud Const.

and this a most noble city, then is our lamentation to be redoubled, and greater anxiety to be felt.

It was not truly in distant lands, but in the very central light of Italy, under the eyes of the city, and nigh the threshold of the apostles; it was a bishop distinguished by the honour of a double see (Scipio de Ricini, formerly bishop of Pistoria and Prato), whom, when he came to us for the purpose of taking on him his pastoral function, we embraced with paternal charity, who in turn sealed the attachment and obedience due to us and to this Apostolic See, at the very rite of his sacred ordination, by the sacredness of a solemn oath.

And that same person, not long after that, being dismissed from our embrace with the kiss of peace, he came to the people committed to his care, circumvented by the wiles of the masters of a perverse philosophy assembled around him, began to apply his mind to this, not to defend, cultivate, and perfect, as he ought to do, that praiseworthy and peaceful form of the Christian institution, which former prelates had, according to the ecclesiastical rule, long since introduced, and in a manner established, but on the contrary, under the mask of a feigned reformation, by introducing unseasonable novelties, he disturbed, convulsed, and tore it up from the foundation.

Nay more, when even by our exhortation he directed his attention to the diocesan synod, it was effected by his refractory pertinaciousness in his own way of thinking, that from that quarter whence some remedy of the wounds was to be sought, more disastrous ruin sprung forth. Indeed, after this Synod of Pestoria burst forth from its lurking-place, in which it lay concealed for a considerable time, there was no person entertaining a pious and wise sentiment concerning the interests of religion, who did not forthwith perceive that the intention of the authors was, that the seeds of perverse doctrines, which they had before scattered by pamphlets of various kinds, they should condense as it were into one body, should resuscitate errors long since proscribed, and take away credit and authority from the apostolic decrees in which they were proscribed.

When we saw that these things, in proportion as they are the more alarming in themselves, so much the more urgently

demanded the aid of our solicitude, we hesitated not to turn our attention to the adoption of those measures which should seem to be more suited either to remedy or altogether to check the rising evil.

And first, mindful of the wise admonition of our predecessor Zosimus,[o] that those matters which are important called for great weight of examination, we committed the synod first published by the bishop to be examined by four bishops, having attached other theologians also from the secular clergy; then we deputed a congregation also of several cardinals of the holy Roman Church, and of other bishops, who were carefully to examine the whole series of proceedings, to bring together passages separated from each other, to discuss sentences extracted. Whose suffrages we received, expressed before us by word of mouth and by writing, who gave it as their opinion both that the synod was to be universally reprobated, and very many opinions thence collected were deserving of being visited with more or less severe censures, some indeed in themselves, some by the attentive connection of the sentences; on hearing and duly considering their observations, we took care of this also, that certain leading heads of perverse doctrines selected from the entire synod, to which the censurable sentences scattered through the synod chiefly refer, directly or indirectly, might be afterwards reduced to a certain order, and that the censure peculiarly belonging to each should be affixed to the same.

But lest evil-minded persons might take occasion for cavilling from this, whether collation of places, or collection of suffrages, however accurately made, in order to meet this calumny which is perhaps already prepared, we determined on having recourse to the prudent measure which our most holy predecessors, as well as most wise prelates, and even general synods, have duly and cautiously adopted in checking the further progress of dangerous and mischievous innovations of this kind, and have left behind them testified and recommended by striking examples.

They were well aware of the wily and deceptive tricks of innovators, who, afraid of giving offence to Catholic ears,

[o] S. Zosimus, ep. ii. apud Const.

are oftentimes careful to wrap up the snares of their captious propositions in the subtle coverings of words, that the error lurking amid the difference of meaning may get more easy admission into the mind, and so that the truth of a proposition being upset by the slightest addition or change, the confession of it which was to effect salvation may, by a sort of wily transition, incline to death. And this involved and deceptive mode of arguing is faulty in every kind of discourse, but in a synod is not at all to be tolerated, whose characteristic merit is this, to adhere to that lucid style of speaking in the instruction which it gives, such as may leave behind no danger of offence. If, on such occasions, anything wrong should present itself, it cannot be defended by the artful excuse usually adduced, that any expressions of rather a harsh nature which may fall out anywhere, will be found in other passages more plainly explained, or even corrected, as though the pert flippancy of affirming and denying, and of contradicting themselves *ad libitum*, which has ever been the fraudulent resource of innovators to indirectly introduce error, might not tend rather to expose error than to palliate or excuse it; or as if illiterate persons more especially, who should fall in perchance with this or that part of the synod set forth to the public in the vernacular tongue, might always have at hand other scattered passages which might have to be inspected; or even after these were inspected, each person might have sufficient means to compare them one with the other, so that, as they idly pretend, they might be able to shun all risk of error. A most baneful trick no doubt for insinuating error, which was some time since wisely detected in the letter of Nestorius, a prelate of Constantinople, and most severely reproved by our predecessor, Celestinus;[p] in which letter, that artful individual was tracked, caught, and held fast, weakening his case by his own verbosity, whilst mixing up that which was true with what are obscure, and again confounding both, he either confessed what had been denied, or endeavoured to deny what had been confessed. To ward off which stratagems, too often resorted to in every age, no better method has been adopted, than that by which, by exposing those passages,

[p] S. Celestinus, ep. xiii. n. 2, ap. Const.

which, under the cover of ambiguity, involve a perilous and suspicious discrepance of meanings, their mischievous signification might be marked, under which lurked the error reprobated by the Catholic sense.

Which method, abounding in moderation, we too embraced so much the more willingly, as we foresaw that it would rather prove a great aid to reconcile the feelings, and to bring them to the unity of the spirit, in the bonds of peace (which, with the favour of God, we feel pleasure, has justly turned out successful in many cases), to see, first, that the perverse followers of the synod, if any shall remain, which God forbid, may not be able, for the purpose of exciting new disturbances, to attach as partners in their condemnation and associates in guilt the Catholic schools, which, absolutely in spite of them, and plainly resisting, they are endeavouring to draw over to their side by means of a forced similitude of kindred terms in expression, where they find there is any discrepancy in meaning. Then if any unthinking persons have been led astray by any more favourable opinion as yet preconceived regarding the synod, let such persons be deprived of all room for complaint, who, if they possess correct sense, as they wish to appear to do, let them no longer feel annoyed at the condemnation of doctrines so marked, which bear on their front errors from which they themselves profess to be altogether free.

Nor even still have we considered that we have gratified our spirit of lenity to our satisfaction, or to speak more truly, our spirit of charity, which urges us towards our brother, whom we would assist[q] with all the means in our power, if it is still possible. For we are urged on by that charity, under the influence of which, our predecessor Celestinus[r] did not refuse to wait for priests to be amended, even against right, or with still greater forbearance, than seemed to be consistent with right. For with Augustine and the fathers of Milevis, we are more willing and desirous that persons holding forth perverse doctrines should be healed by pastoral care in the Church, than that, despairing of salvation, they should be cut off from it, unless some necessity force it.

[q] S. Celest. ep. 14, ad populum C. P. n. 8, ap. Const.
[r] Ep. 13, ad Nestor. n. 9.

For which end, that no kind of attention may seem to have been neglected to gain over a brother, we deemed it meet that the aforesaid bishop, before we should proceed to ulterior measures, should be invited to come to us, by a most affectionate letter, directed to him by our orders, in which we promised that he should find a kind reception from us, and that he should not be prevented from openly and freely expressing whatever might seem to tend to his advantage. Nor indeed had all hope forsaken us that it might happen that if he brought with him a docile mind, which, according to the apostle's sense, Augustine[s] chiefly required in a bishop, when all contention and asperity being kept aloof, the principal heads of his doctrines should be simply and candidly proposed to him to be reconsidered, such as might have appeared to have called for greater reprehension than he would readily collect himself, and would not hesitate to explain in a more sound sense whatever was put ambiguously, or openly to reject whatever should present the character of manifest perverseness, and thus, with great credit to his own character, as well as to the very great joy of all good persons, the tumults which had arisen in the Church might be put a stop to by the most wished for correction, in the most peaceable manner possible.[t]

But now when he, under the pretext of bad health, thought it right not to avail himself of the favour thus offered to him, we can no longer delay the discharge of our apostolic duty. It is not the danger of one or two dioceses only that is in question; *the whole church is shaken by any innovation soever.*[u] The decision of the supreme Apostolic See is this long time not only expected, but earnestly called for on all sides by repeated entreaties. H ven forbid that the voice of Peter should ever be silent [illegible] that his seat, in which he, perpetually living and presiding, insures to those seeking it the truth of faith. In such cases longer connivance is not safe, because there is almost as much guilt in conniving in such cases as in preaching that which is so contrary to religion.[v] Such a wound, therefore, must be

[s] L. 4, de Bapt. cont. Donat. c. 5, et 1, 5, c. 26.
[t] S. Celest. ep. 16, n. 2, ap. Const.
[u] S. Celest. ep. 21, ad Episcopos Galliarum.
[v] S. Celest. ep. 12, n. 2.

cut away, by which not one limb only is affected, but the whole body of the Church is wounded,[w] and by the aid of the divine goodness care must be taken, that all dissensions being cut off, the Catholic faith be kept inviolate, and those who defend that which is perverse, being reclaimed from error, those whose faith has been approved may be secured by our authority.[x]

Wherefore the light of the Holy Ghost being implored with the continual prayers both of ourselves and of the pious followers of Christ, all things being fully and maturely considered, we have given it as our opinion that several propositions, doctrines, sentences, whether given expressly, or insinuated ambiguously, from the acts and decrees of the above-mentioned synod, with their marks and censures, as has been premised, affixed to each, are to be condemned and reprobated, as by this our constitution, which is to hold good for ever, we condemn and reprobate them.

They are as follows:—

ON THE OBSCURATION OF TRUTHS IN THE CHURCH.

Ex decr. de grat. § 1.

I. The proposition, which asserts, "that in these latter ages a general obscuration has been spread over truths of graver moment, regarding religion, and which are the basis of faith, and of the moral doctrine of Jesus Christ:" *is heretical.*

ON THE POWER ATTRIBUTED TO THE COMMUNITY OF THE CHURCH TO BE COMMUNICATED THROUGH THIS TO THE PASTORS.

Epist. convoc.

II. The proposition, which lays down, "that the power given by God to the Church, to be communicated to the pastors, who are his ministers, for the salvation of souls," so understood that the power of the ecclesiastical ministry and government is derived from the community of the faithful to the pastors: *heretical.*

[w] *Idem*, ep. 14, Cyrillo, n. 3.
[x] S. Leo M. ep. 23. Flaviano C. P. n. 2.

ON THE DENOMINATION OF MINISTERIAL HEAD ATTRIBUTED TO THE ROMAN PONTIFF.

Decret. de fide, § 8.

III. Moreover, that which lays down, "that the Roman pontiff is ministerial head," so explained as that the Roman pontiff receives the power of the ministry not from Christ in the person of Saint Peter, but from the Church, by which, as successor of Peter, true vicar of Christ, and head of the entire Church, he possesses sway in the universal Church: ***heretical.***

ON THE POWER OF THE CHURCH AS TO CONSTITUTING AND ENFORCING EXTERNAL DISCIPLINE.

Decret. de fide, §§ 13, 14.

IV. The proposition affirming, "that there would be an abuse of the authority of the Church, in transferring it beyond the limits of doctrine and morals, and extending it to externals, and in exacting by force that which depends on persuasion and the heart, and also that it appertains much less to it to exact by force external submission to its decrees,"—in as far as by those indefinite words *extending to externals* denotes as it were an abuse of the authority of the church, the use of that power received from God, which even the apostles themselves employed in establishing and enforcing external discipline: *is heretical.*

V. In which part it insinuates, that the Church has not the authority of exacting submission to her decrees otherwise than by means which depend on persuasion—in as much as it intends that the Church "has not the power conferred on her by God, not only directing by counsel and persuasion, but also of commanding by laws, and of coercing and compelling the stragglers and contumacious by external judgment and wholesome penalties" (ex Bened. XIV. in a brief ad Assiduas, ann. 1755. To the primate, archbishops, and bishops of the kingdom of Poland): *leading to a system otherwise condemned as heretical.*

RIGHTS GRANTED TO BISHOPS CONTRARY TO JUSTICE.

Decr. de ord. § 25.

VI. The doctrine of the synod, in which it states, "that it is persuaded that the bishop has received from Christ all

the rights necessary for the good government of his diocese" —as if to the good government of each diocese superior ordinances were not necessary, regarding whether faith and morals, or general discipline, the right of which is vested in the sovereign pontiffs and general counsels for the universal Church, is *schismatical, at least erroneous.*

VII. Likewise in that, that it exhorts the bishop "to follow up diligently the more perfect establishment of ecclesiastical discipline, and that against all contrary usages, exemptions, reservations, which are adverse to the good order of the diocese, the greater glory of God, and the greater edification of the faithful,"—by this, that it supposes it to be lawful for the bishop, by his own judgment and decision, to determine and decree contrary to usages, exemptions, reservations, whether those which take place in the universal Church, or even in each province, without the permission and interference of a superior hierarchical power, by which they have been introduced or approved, and obtain the force of a law: *leading to schism and subversion of hierarchical government, erroneous.*

VIII. Likewise in this, that it says that it is persuaded "that the rights of the bishop received from Jesus Christ for governing the Church can neither be altered nor impeded; and when it has happened that the exercise of these rights has for any cause been interrupted, that the bishop ever could and ought to revert to his original rights, as often as the greater good of his church requires it," in as far as it intimates that the exercise of episcopal rights can be impeded or coerced by no superior power whensoever the bishop may by his own judgment think it less expedient for the greater good of his church: *leading to schism and the subversion of hierarchical government, erroneous.*

RIGHT INCORRECTLY GRANTED TO PRIESTS OF INFERIOR ORDERS IN DECREES OF FAITH AND DISCIPLINE.

Epist. convoc.

IX. The doctrine, which determines, "that the reformation of abuses regarding ecclesiastical discipline in diocesan synods depends equally on the bishop and parish priests, and ought to be strengthened by them, and that without freedom of decision that submission to the suggestion and commands

of the bishops:" *false, rash, injurious to episcopal authority, subversive of hierarchical government, favouring the Arian heresy introduced anew by Calvin.*

Ex ep. convoc. Ex ep. ad vic. for. Ex orat. ad syn. § 8. *Ex sess.* 3.

X. Likewise the doctrine, by which parish priests or other priests assembled in synod are pronounced together with the bishop to be judges of faith, and it is intimated at the same time that judgment in causes of faith belongs to them by a peculiar right, and by one indeed received through ordination: *False, rash, subversive of hierarchical order, detracting from the strength of the definitions or dogmatic judgments of the Church, at least erroneous.*

Orat. synod. § 8.

XI. The proposition stating, that by an ancient institute of our ancestors, derived even from the apostolic times, observed through the better ages of the Church, it was received, "that decrees, or definitions, or propositions, even of greater sees, should not be admitted, unless they had been recognized and approved by the diocesan synod:" *False, rash, derogating according to its generality from the obedience due to apostolic constitutions, as also from the propositions emanating from superior legitimate hierarchical power, cherishing schism and heresy.*

CALUMNIES AGAINST SOME DECISIONS IN MATTER OF FAITH EMANATING FROM A CONSIDERALE NUMBER OF AGES.

XII. The assertions of the synod, taken collectively, concerning decisions in matter of faith emanating from several ages back, which it represents as decrees originating from one particular church or a few pastors, supported by no sufficient authority, intended for spoiling the purity of faith, and for exciting turbulence, obtruded by violence, and from wounds which, still too recent, have been inflicted: *False, captious, rash, scandalous, injurious to the Roman pontiffs and Church, derogatory from the obedience due to apostolic constitutions, schismatic, pernicious, at least erroneous.*

CONCERNING THE PEACE CALLED THAT OF CLEMENT IX.

Or. synod. § 2, *in nota.*

XIII. A proposition stated among the acts of the synod, which intimates that Clement IX. restored peace to the Church, by the approbation of the distinction of law and fact, prescribed in the subscription of a formulary by Alexander VII.: *False, rash, injurious to Clement IX.*

XIV. But as far as it supports that distinction, by lauding the abettors of the same, and by vituperating their adversaries: *Rash, pernicious, injurious to the sovereign pontiffs, cherishing schism and heresy.*

ON THE CONSTITUTION OF THE BODY OF THE CHURCH.

Append. n. 28.

XV. The doctrine which holds forth, "that the Church is to be considered as one mystical body, composed of Christ as head, and of the faithful, who are its members by an infallible union, by which we become in a wonderful manner with him one sole priest, one sole victim, one sole perfect adorer of God the Father in spirit and truth,"—understood in this sense, that to the body of the Church there belong only the faithful, who are perfect adorers in spirit and truth; *Heretical.*

ON THE STATE OF INNOCENCE.

De grat. §§ 4, 7; *de sacr. in gen.* § 1; *de pœnit.* § 4.

XVI. The doctrine of the synod on the state of happy innocence, such as it represents it in Adam before sin, embracing not only integrity, but also inward righteousness, with an impulse to God through the love of charity, and primeval sanctity by some means restored after the fall,—so far as, by implication, it intimates that that state was subsequent to creation, a favour due from the natural exigency and condition of human nature, not a gratuitous favour of God: *False, otherwise condemned in the case of Baius, and in that of Quesnell, erroneous, favouring the Pelagian heresy.*

ON IMMORTALITY VIEWED AS A NATURAL CONDITION OF MAN.

De bapt. § 2.

XVII. The proposition stated in these words, "Taught by the apostle, we view death no longer as a natural condition of man, but in reality, as a just punishment of original sin,"—inasmuch as, under the name of the apostle, artfully adduced, it insinuates that death, which in the present state has been inflicted as a just punishment of sin, by the just withdrawal of immortality, had not been a natural condition of man, as if immortality had not been a gratuitous favour, but a natural condition: *Captious, rash, injurious to the apostle, otherwise condemned.*

ON THE CONDITION OF MAN IN A STATE OF NATURE.

De grat. § 10.

XVIII. The doctrine of the synod, stating, "that after the fall of Adam, God announced the promise of a future redeemer, and wished to console mankind by the hope of salvation, which Jesus Christ was to bring, yet that God wished that mankind should pass through various states, before the fulness of time should come; and first, that in the state of nature, man left to his own lights should learn to distrust his own blind reason, and from his own aberrations should move himself to desire the aid of superior light,"—a doctrine, as it lies, captious, and understood of the desire of the aid of superior light promised in order to salvation through Christ, to conceive which, man, left to his own lights, may be supposed to have been able to move himself: *Suspicious, favouring the semi-Pelagian heresy.*

OF THE CONDITION OF MAN UNDER THE LAW.

Ibid.

XIX. Likewise that which subjoins that man under the law, "when he was unable to observe it, had become a transgressor, not indeed through the fault of the law, which was most holy, but through fault of man, who under the law without grace became more and more a transgressor;" and superadds, "that the law, if it did not heal the heart of man, caused that he should know his own evils, and, convinced of his own weakness, he should feel the want of a

mediator,"—in which part it intimates generally, that man had become a prevaricator through not observing the law, which he was unable to observe, as if he who is just would command anything which was impossible, or as if he who is merciful would condemn man for that which he could not avoid (ex S. Cæsario, serm. 73, in append. S. Augustini, serm. 273, edit. Maur. Ex S. Aug. de Nat. et Gr. c. 43; De Grat. et Lib. art. c. 16; Enarr. in Psal. 56, n. 1): *False, scandalous, impious, condemned in the case of Baius.*

XX. In which part it is given to be understood, that man under the law without grace could conceive a desire of the grace of a mediator ordained to salvation promised through Christ, as if grace itself did not cause that he be invoked by us (ex Concil. Araus. II., can. 3): *A proposition, as it lies, captious, suspicious, favouring the semi-Pelagian heresy.*

ON GRACE ENLIGHTENING AND EXCITING.

De grat. § 11.

XXI. A proposition which asserts, "that the light of grace, when it is alone, tends only that we should know the unhappiness of our state, and the serious nature of our evil; that grace in such a case produces the same effect which light produced; therefore, that it is necessary that God should create in our heart a holy love, and inspire a holy delight contrary to the love predominating in us; that this holy love, this holy delight, is properly the grace of Jesus Christ, the inspiration of charity, which, being known, we may act with holy love; that this is that root from which shoot forth good works; that this is the grace of the New Testament, which emancipates us from the slavery of sin, and constitutes us sons of God,"—inasmuch as it intends, that it alone is properly the grace of Jesus Christ, which may create in the heart holy love, and which causes that we act, or also that by which man being freed from the slavery of sin, is constituted the son of God, and the grace of Christ is not properly that grace by which the heart of man is touched by the illumination of the Holy Spirit (Trid. sess. vi. cap. v.), nor does there really exist an interior grace of Christ, which men resist: *False, captious, leading into an error condemned in the second proposition of Jansenius, and heretical; and introducing it anew.*

OF FAITH AS THE FIRST GRACE.

De fide, § 1.

XXII. The proposition which intimates "that faith, from which commences a series of graces, and by which, as the first voice, we are called to salvation and the Church, is itself an excellent virtue of faith, by which men are called faithful, and are so,"—just as if that grace were not prior, which, as it precedes the will, so also precedes faith (ex S. Aug. de Dono Persev. c. 16, n. 41): *Suspected of heresy, and savouring of it, otherwise condemned in Quesnellius, erroneous.*

OF TWOFOLD LOVE.

De grat. § 8.

XXIII. The doctrine of the synod concerning the twofold love of predominant desire and predominant charity, stating that man without grace is under the slavery of sin, and that he in that state, by the general influx of predominant desire, infects and spoils all his actions,—in as far as it insinuates, that in man, whilst he is under slavery or in the state of sin, destitute of that grace by which he is freed from the slavery of sin, and constituted son of God, desire so predominates, that by the general influx of this, all his actions are in themselves infected and corrupted, or all the works which are done before justification, by what means soever they may be done, are sins, as if in all his acts the sinner is a slave to predominant desire: *False, pernicious, leading into an error condemned as heretical by Trent, again condemned in the case of Baius, art.* 40.

§ 12.

XXIV. But in that part in which no intermediate affections are placed between predominant desire and predominant charity, implanted by nature herself, and in their own nature commendable, which, together with the love of beatitude, and the natural inclination to good, have remained as last lineaments, and the mere remains of the image of God (ex S. Aug. de Spir. et lit. c. 28),—just as if between the divine love which leads us to the kingdom, and illicit human love, which is condemned, there existed not lawful human love, which is not censured (ex S. Aug. serm. 349, de Carit. edit. Maur.): *False, otherwise condemned.*

OF SERVILE FEAR.

De pœnit. § 3.

XXV. The doctrine, which represents that the fear of punishments, in general, can only not be called evil, if at least it tends to restrain the hand, as if the fear itself of hell, which faith teaches, is to be inflicted on sin, is not in itself good and useful, as a supernatural gift, and a motive inspired by God preparing for the love of justice: *False, rash, pernicious, injurious to the divine gifts, otherwise condemned, contrary to the doctrine of the Council of Trent, and also to the common understanding of the fathers, that it was necessary, according to the usual order of preparation for justice, that fear may enter first, through which charity may come; fear the medicine, charity the health.* (Ex. S. Aug. in Epist. Joan. c. 4, tract. 9, n. 4, 5; in Joan. Evang. tract. 41, n. 10; Enarratione in Psal. 127, n. 7; Sermone 157, de Verbis Apostoli, c. 13; Sermone 161, de Verbis Apostoli, n. 8; Sermone 349, de Caritate, n. 7.)

OF THE PUNISHMENT OF THOSE DYING WITH ORIGINAL SIN ALONE.

XXVI. The doctrine, which explodes as a Pelagian fable, that place of the dead (which the faithful designate by the name of the limbo of children) in which the souls of those dying with original sin alone are punished by the punishment of loss, without the punishment of fire;—just as if by this, that those who remove the penalty of fire would introduce that place and middle state, void of guilt and punishment between the kingdom of God and eternal damnation, such as the Pelagians fabled: *False, rash, injurious to Catholic schools.*

OF THE SACRAMENTS, AND FIRST OF THE SACRAMENTAL FORM WITH THE CONDITION ANNEXED.

De bapt. § 12.

XXVII. The deliberation of the synod, in which under the pretext of adhesion to the ancient canons in case of doubtful baptism, it declares its purpose of leaving out mention of the conditional form: *Rash, contrary to the practice, law, authority of the Church.*

OF PARTICIPATION OF THE VICTIM IN THE SACRIFICE OF THE MASS.

De euch. § 6.

XXVIII. The proposition of the synod, in which, after it sets down that participation of the victim is an essential part of the mass, subjoins: "that it does not condemn as illicit those masses in which those present do not communicate sacramentally, for this reason, because they participate, though less perfectly, of the victim by receiving it in spirit,"—in as far as it insinuates that to the essence of the sacrifice, something is wanting in that sacrifice, which may be done whether no one being present, or those being present, who participate of the victim neither sacramentally nor spiritually, and as if those masses were to be condemned as illicit, in which the priest alone communicating, no one may be present, who communicates either sacramentally or spiritually: *False, erroneous, suspected of heresy, and savouring of it.*

OF THE EFFICACY OF THE RITE OF CONSECRATION.

De euch. § 2.

XXIX. The doctrine of the synod, in that part where intending to deliver the doctrine of faith on the rite of consecration, those scholastic questions being kept out of view, regarding the manner in which Christ is in the eucharist, from which it exhorts parish priests discharging the office of teaching to abstain, these two points being proposed —1. That Christ, after consecration, is truly, really, and substantially under the species. 2. That then all the substance of bread and wine ceases, the species alone remaining,—entirely omits to make any mention of transubstantiation, or of the conversion of the entire substance of the bread into the body, and the whole substance of the wine into the blood, which, as an article of faith, the Council of Trent defined, and which is contained in the solemn profession of faith, inasmuch as by such unadvised and suspicious omission a knowledge is withdrawn as well of the article pertaining to faith, and also of the term consecrated by the Church to defend the profession of it against heresies, and tends consequently to induce a forgetfulness of it, as though a question merely scholastic were under consideration: *Pernicious, derogating from the exposition of Catholic truth regarding the dogma of transubstantiation, favouring heretics.*

OF THE APPLICATION OF THE FRUIT OF THE SACRIFICE.

De euch. § 8.

XXX. The doctrine of the synod, in which, whilst it professes "to believe that the oblation of the sacrifice extends to all, so however, that in the liturgy, special commemoration may be made of some, as well living as dead, by praying to God peculiarly for them;" then immediately after it subjoins, "not however that we believe that it is at the option of the priest to apply the fruits of the sacrifice to whom he pleases: nay, we condemn this error, as greatly offending the rights of God, who alone distributes the fruits of the sacrifice to whomsoever he wishes, and according to the measure which is pleasing to him:" whence consequently he traduces it as "a false opinion, introduced among the people, that those who supply alms to the priest on condition that he celebrates one mass, derive a special fruit from it,"—so understood that beside the special commemoration and prayer, the special oblation itself, or application of the sacrifice, which is made by the priest, is not more available, *ceteris paribus*, to those for whom it is applied, than to any other persons whatsoever, as though no special fruit resulted from the special application, which the Church recommends to be made for certain persons, and orders of persons, and advises to be made specially by the pastors for their sheep; which, as if descending from the divine precept, has been plainly expressed by the sacred Synod of Trent (Sess. 23, cap. 1, de reform. Bened. XIV. Constit. *Quum semper oblatas*, § 2): *False, rash, pernicious, injurious to the Church, leading into an error, otherwise condemned in Wickliff.*

ON OBSERVING PROPER ORDER IN WORSHIP.

De euch. § 5.

XXXI. The proposition of the synod, stating that it is befitting for the order of the divine offices, and for ancient usage, that in every temple there be only one altar, and consequently that it pleases them to restore that custom: *Rash, injurious to the very ancient, pious custom, prevailing many ages since, especially in the Latin Church, and to the approved custom.*

Ibid.

XXXII. Likewise the prescription forbidding the cases of the sacred relics or flowers being placed on the altars: ***Rash, injurious to the pious and approved custom of the Church.***

Ibid. § 6.

XXXIII. The proposition of the synod, in which it shows that it desires that the causes should be taken away, by which a forgetfulness of the principles relating to the order of the liturgy was introduced, by recalling it to greater simplicity of rites, by expounding it in the vulgar tongue, and uttering it in a loud voice, as if the prevailing order of the liturgy received by the Church, and in some measure approved, had emanated from a forgetfulness of the principles by which it ought to be regulated: ***Rash, offensive to pious ears, insulting to the Church, favouring the reproaches of heretics against it.***

OF THE ORDER OF PENANCE.

De pœnit. § 7.

XXXIV. The declaration of the synod, in which, after premising that the order of canonical penance was so determined by the Church after the example of the apostles, that it should be common to all, and not only for the punishment of guilt, but chiefly for disposing to grace, adds, "that it in that admirable and august order recognizes the entire dignity of a sacrament so necessary, free from the subtleties which in the course of time have been added to it,"—as if by the order in which, without completing the course of the canonical penance, this sacrament has been wont to be administered through the whole Church, its dignity had been impaired: *Rash, scandalous, leading to a contempt of the dignity of the sacrament, as it has been wont to be administered by the whole Church, injurious to the Church itself.*

De pœnit. § 10, n. 4.

XXXV. The proposition conceived in these words: "If charity in the beginning is always weak, from the ordinary way to obtain an increase of this charity, it is meet that the priest should cause those acts of humiliation and penance to precede, which were in every age recommended by the

Church; to reduce those acts to a few prayers, or to some fact after absolution has been now conferred, seems rather the material desire of preserving to this sacrament the bare name of penance, than an enlightened means, and one suited to augment that fervour of charity which ought to precede absolution; we are indeed very averse to the practice, to be disapproved of, of imposing penances to be fulfilled even after absolution; if all our good works have our defects annexed to them, how much more ought we to dread, lest we incur very many imperfections in the very difficult and momentous work of our reconciliation," in as far as it intimates that penances which are imposed after absolution, are to be considered rather as a supplement for defects incurred in the work of our reconciliation, than as penances truly sacramental and satisfactory for sins confessed: as if, that the true nature of a sacrament, not the bare name, be preserved, it were necessary, out of the ordinary way, that the acts of humiliation and penance, which are imposed by way of sacramental satisfaction, ought to precede absolution: *False, rash, injurious to the common practice of the Church, leading into an error stamped with the brand of heresy in the case of Peter de Osma.*

OF THE PREVIOUS NECESSARY DISPOSITION FOR ADMITTING PENITENTS TO RECONCILIATION.

De grat. § 15.

XXXVI. The doctrine of the synod, after premising, "When unequivocal signs of the love of God prevailing in the heart of man shall be had, that he may be fairly indicated as worthy to be admitted to a participation of the blood of Jesus Christ, which takes place in the sacraments;" it adds, "that the suppositious conversions, which are done by attrition, are wont to be neither effectual nor permanent;" consequently, "that the pastor of souls ought to insist on unequivocal signs of prevailing charity, before he admits his penitents to sacraments," which signs, as it then says (§ 17), "the pastor will be able to deduce from a steady cessation from sin and his fervour in good works;" which fervour of charity, moreover, it represents (de pœnit. § 10) as a disposition which ought to precede absolution; so understood, that not only imperfect contrition, which every-

where passes under the name of attrition, even that which is joined with love, by which man begins to love God as the fountain of all righteousness, and not only contrition formed by charity, but also the fervour of predominant charity, and that too, proved by long trial, by fervour in good works, may be generally and absolutely required, that a man may be admitted to sacraments, and in particular penitents may be admitted to the benefit of absolution: *False, rash, calculated to disturb the quiet of souls, contrary to the practice, safe and approved, in the Church, detracting from and injurious to the efficacy of the sacrament.*

OF THE AUTHORITY TO ABSOLVE.

De pœnit. § 10, *n.* 6.

XXXVII. The doctrine of the synod, which regarding the authority to absolve, received by ordination, says, "After the establishment of dioceses and of parishes, that it was meet that each should exercise this judgment on persons subject to them, whether with respect to territory, or by any personal right, for this reason, that otherwise confusion and perturbation would be introduced," inasmuch as after the establishment of dioceses and parishes it states it to be meet to guard against confusion, that the power of absolving may be exercised on subjects, so understood, as if for the valid use of this power, the ordinary or that subdelegated jurisdiction were not necessary, without which the Council of Trent declares that absolution given by a priest was of no moment: *False, rash, pernicious, contrary and injurious to Trent, erroneous.*

Ibid. § 11.

XXXVIII. Likewise the doctrine in which, after the synod declared that it could not but admire that so venerable discipline of antiquity, which, as it says, "did not so easily, and perhaps never admitted to penance him, who, after the first sin and the first reconciliation, had relapsed into crime," subjoins, "that by the fear of perpetual exclusion from communion and peace, even *in articulo mortis*, a rein will be thrown on those who but little consider the evil of sin, and fear it still less:" *Contrary to the* 13 *can. of the Council of Nice, to the decretal of Innocentius I., to Exuperius of Toulouse, and also to the decretal of Celestinus I. to the bishops*

of Vienne and the province of Narbonne, redolent of depravity, of which the holy Pontiff expresses a horror in that decretal.

OF THE CONFESSION OF VENIAL SINS.

De pœnit. § 12.

XXXIX. The declaration of the synod concerning the confession of venial sins, which, it says, it wished was not so frequently practised, lest such confessions may be rendered too contemptible: *Rash, pernicious, contrary to the practice of holy and pious persons, approved by the holy Council of Trent.*

OF INDULGENCES.

De pœnit. § 16.

XL. The proposition asserting, that "an indulgence, according to its precise notion, is nothing else than a remission of part of that penance, which, by the canons, was set to the sinning individual,"—as if an indulgence, besides the bare remission of the canonical punishment, does not also avail to the remission of the temporal punishment, due for actual sins before the divine justice: *False, rash, injurious to the merits of Christ, some time since condemned in the 19th art. of Luther.*

Ibid.

XLI. Likewise in that which is added, "that the schoolmen, inflated with their subtleties, have introduced an ill-understood treasure of the merits of Christ and the saints, and for the clear notion of absolution from canonical punishment, have substituted a confused and a false one of the application of merits,"—as if the treasures of the Church, whence the Pope grants indulgences, are not the merits of Christ and of the saints: *False, rash, injurious to the merits of Christ and of the saints, before now condemned in the 17th art. of Luther.*

Ibid.

XLII. Likewise in this which it superadds: "that it was still more lamentable, that that chimerical application used to be transferred to the dead:" *False, rash, offensive to pious ears, injurious to the Roman pontiffs, and to the practice and sense of the universal Church, leading into an error*

branded with the stamp of heresy in Peter de Osma, again condemned in the 22nd art. of Luther.

Ibid.

XLIII. In this, also, that it inveighs most impudently against the tables of indulgences, privileged altars, &c.: *Rash, offensive to pious ears, scandalous, contumelious to the sovereign pontiffs, and to the practice constantly resorted to by the whole Church.*

OF THE RESERVATION OF CASES.

De pœnit. § 19.

XLIV. A proposition of the synod, assuming that "the reservation of cases at the present time is nothing else than an improvident tie for inferior priests, and a sound void of sense for penitents accustomed not to care much for this reservation:" *False, rash, sounding amiss, pernicious, contrary to the Council of Trent, detrimental to the superior hierarchical power.*

Ibid.

XLV. Likewise regarding the hope which it holds out, that it will come to pass "that the ritual and order of penance being reformed, such reservations will no longer have any place,"—as by a studied generality of words it intimates, that by the reformation of the ritual and of the order of penance, made by a bishop or synod, the cases can be done away with, which the Trent Synod (Sess. xiv. c. 7) declares, that the sovereign pontiffs could, by virtue of the supreme power committed to them in the universal Church, reserve for their own peculiar judgment: *A proposition false, rash, derogating from the Council of Trent, and from the authority of the sovereign pontiffs, and injurious.*

OF CENSURES.

De pœnit. §§ 20, 22.

XLVI. A proposition asserting "that the effect of excommunication is only external, as if by its nature it only excludes from the external communication of the Church,"—as if excommunication were not a spiritual punishment, binding in heaven, obliging souls (ex S. Aug. Ep. 250.

Auxilio Episcopo, tract. 50, in Joan. n. 12): *False, pernicious, condemned in the 23rd art. of Luther, at least erroneous.*

§§ 21, 23.

XLVII. Likewise that which states that it is necessary, according to the natural and divine laws, that whether to excommunication or to suspension the personal examination ought to go before, and accordingly, that the sentences called *ipso facto* have no other force but that of serious threatening without any actual effect: *False, rash, pernicious, injurious to the power of the Church, erroneous.*

§ 22.

XLVIII. Likewise that which pronounces "that the form introduced some ages ago is useless and unavailing, of absolving generally from excommunications, into which one of the faithful might have fallen:" *False, rash, injurious to the practice of the Church.*

§ 24.

XLIX. Likewise that which condemns as null and void suspensions from acquaintance with the case which is not formal:[y] *False, pernicious, injurious to Trent.*

Ibid.

L. Likewise in this, that it insinuates that it is not lawful for the bishop alone to use the power which Trent confers on him, of legitimately inflicting suspension from acquaintance with the case which is not formal: *Detrimental to the jurisdiction of the prelates of the Church.*

OF ORDERS.

De ordine, § 4.

LI. The doctrine of the synod, which represents that in promoting to orders, this method used to be observed by the custom and establishment of ancient discipline, "that, if any of the clerks was distinguished by sanctity of life, and was esteemed worthy to be raised to holy orders, he used to be promoted to the deaconship or priesthood, even though he may not have taken inferior orders, nor at that time was such ordination said to be *per saltum*, as was afterwards said."

§ 5.

LII. Likewise that which intimates, that there was not

[y] Ex informata conscientia.

any other title of ordination than the deputation to some special ministry, such as is prescribed in the Council of Chalcedon, adding (§ 6) as long as the Church conformed to these principles in the selection of sacred ministers, that the ecclesiastical order flourished, but that those happy days had passed away, and that new principles were introduced from time to time, by which discipline was vitiated in the selection of the ministers of the sanctuary.

§ 7.

LIII. Likewise that it reckons among these very beginnings of corruption, that a departure was made from the ancient usage, by which, as it says (§ 5), the Church, treading in the footsteps of the apostle, determined that no one should be admitted to the priesthood, unless he who had preserved his baptismal innocence,—inasmuch as it intimates that discipline had been corrupted by decrees and institutes, (1) whether those by which ordinations *per saltum* were forbidden, (2) or those by which, according to the necessity and convenience of the churches, ordinations were approved of without a title of special duty, as specially by the Council of Trent ordination to the title of a patrimony, saving the obedience by which those so ordained are obliged to attend to the necessities of the churches, by executing those offices to which they were attached by the bishop for the place and time, as was wont to be done in the primitive Church from the apostolic times, (3) or those by which a distinction of crimes was made by canon law, which render delinquents irregular—as if by this distinction the Church receded from the spirit of the apostle, not by excluding generally and promiscuously from the ecclesiastical ministry all persons whatsoever, who should not have retained their baptismal innocence: *A doctrine in each of its parts false, rash, calculated to disturb the order introduced for the necessity and convenience of the churches, injurious to the discipline approved by the canons, and especially by the decrees of Trent.*

§ 13.

LIV. Likewise, that which marks as a shameful abuse ever to give alms for celebrating masses and administering sacraments, as also to receive any profit said to be that of the stole, and generally whatever stipend and fee, which might

be offered on the occasion of suffrages, or of any parochial function,—as if the ministers of the Church were to be noted with the crime of shameful abuse, whilst according to the received and approved custom and usage of the Church, they use the right promulged by the apostle of receiving temporals from those to whom they minister spirituals: *False, rash, detrimental to ecclesiastical and pastoral right, injurious to the Church and its ministers.*

§ 14.

LV. Likewise that in which it professes a desire that some measure might be found of removing the petty clergy (by which name he designates the clergy of the lower orders) from cathedral and collegiate churches, by providing otherwise, namely, by honest laymen of somewhat advanced age, by assigning a suitable stipend to the ministry of serving masses and other offices, as acolytes, &c., as used to be done formerly, it says, when such offices were not reduced to the mere show for receiving higher orders, in as much as it finds fault with the institution by which it is provided, that the functions of the lesser orders should be performed or exercised by those only who were appointed or assigned to them (Concil. prov. iv. Mediol.), and that according to the meaning of Trent (Sess. xxiii. c. 17), that the functions of holy orders, from the deaconship to the beadleship,[z] laudably received in the Church from the apostolic times, and in many places for some time intermitted, may be revived according to the sacred canons, and may not be misrepresented by heretics as idle: *A suggestion rash, offensive to pious ears, calculated to disturb the ecclesiastical ministry, and to impair the decency which should be observed, as far as is possible in celebrating the mysteries, injurious to the offices and functions of minor orders, and also injurious to discipline approved by the canons, and especially by Trent, favouring the reproaches and calumnies of heretics against it.*

§ 18.

LVI. The doctrine which lays down that it seems befitting in canonical impediments which result from misdemeanour, expressed in law, that no dispensation is to be admitted: *Detrimental to equity and canonical moderation*

[z] Ostiariatum.

approved by the sacred Council of Trent, derogating from the authority and rights of the Church.

Ibid. § 22.

LVII. The prescription of the synod, which generally and indiscriminately rejects as an abuse any dispensation whatsoever, so that more than one residented benefice may be conferred on one and the same person, likewise in this which it adds, that it was satisfied than no one could enjoy more than one benefice, though a simple one, according to the spirit of the Church: *Considering its generality, derogating from the moderation of Trent, Sess.* vii. *c.* 5, *and Sess.* xxiv. *c.* 17.

OF SPONSALS AND MATRIMONY.

Libell. memor. circa sponsalia, &c. § 2.

LVIII. The proposition, which lays down that sponsals, properly so called, contain merely a civil act, which disposes to celebrate marriage, and that the same is entirely subservient to the direction of the civil laws,—as if an act disposing to a sacrament were not in this way subservient to the law of the Church: *False, detrimental to the right of the Church as to the effects also flowing from the sponsals by the force of canonical sanctions, derogating from the discipline established by the Church.*

De matrim. §§ 7, 11, 12.

LIX. The doctrine of the synod, asserting that it belongs originally to the supreme power only to affix to the marriage contract such impediments which render it null, and are said to be diriment, because the original right, moreover, is said to be connected with the right of dispensing, adding, " supposing the assent or connivance of the chief persons, that the Church could justly establish impediments severing the marriage contract itself,"—as if the Church could not always and cannot establish impediments in the marriages of Christians by its own right, which impediments may not only impede matrimony, but also render it null as to the tie, by which Christians may also be held bound down in the countries of unbelievers, and dispense in the same: *Subversive of the canon* 3, 4, 9, 12, *Sess.* xxiv. *of the Council of Trent, heretical.*

Cet. lib. et memor. circa sponsal. § 10.

LX. Likewise the request of the synod to the civil power, to take away from the number of impediments spiritual kindred, and that of public propriety, as it is called, the origin of which is found in the collection of Justinian, then, that "it would restrict the impediment of affinity and relationship arising from any licit or illicit conjunction whatsoever to the fourth degree according to the civil computation through the lateral and oblique line, so, however, that no hope be left of obtaining a dispensation,"—in as far as it attributes to the civil power the right either of abolishing or of restricting the impediments, or of restricting the impediments established or approved by the authority of the Church;—likewise in that part where it supposes that she may by the civil power be despoiled of her right of dispensing regarding impediments established or approved by it: *Subversive of the liberty and power of the Church, contrary to Trent, emanating from the heretical principle above condemned.*

OF THE OFFICES, EXERCISES, INSTITUTIONS RELATING TO RELIGIOUS WORSHIP—AND FIRST OF ADORING THE HUMANITY OF CHRIST.

De fide, § 3.

LXI. The proposition, which asserts, "to adore directly the humanity of Christ, or rather any part of it, would always be divine honour given to the creature,"—in as far as by this word directly it intends to reprobate the worship of adoration, which the faithful direct to the humanity of Christ, just as if such adoration, by which the humanity and enlivening flesh itself of Christ is adored, not indeed for itself and as bare flesh, but as united to the divinity, divine honour were bestowed on the creature, and not rather one and the same adoration, by which the incarnate Word is adored together with his own flesh itself (for the council CP. V. gen. can. 9): *False, captious, detracting from and injurious to the pious worship due to the humanity of Christ shown and to be shown by the faithful.*

De orat. § 17.

LXII. The doctrine, which throws back and enumerates devotion towards the most sacred heart of Jesus among

the devotions which it censures as new, erroneous, or at least dangerous—understood of this devotion such as it has been approved by the Apostolic See: *False, rash, pernicious, offensive to pious ears, injurious to the Apostolic See.*

De orat. § 10, *et append.* n. 32.

LXIII. Likewise in this, that it reproves the worshippers of the heart of Jesus on this plea also, that they do not advert that the most holy flesh of Christ, or some part of it, or even the entire humanity with its separation or removal from the divinity, cannot be adored with the worship of latria, —as if the faithful adored the heart of Jesus with its separation or removal from the divinity, whilst they adore it, as it is the heart of Jesus, the heart forsooth of the person of the Word, to which it is inseparably united, after that manner, in which the lifeless body of Christ was adorable in the sepulchre in the three days of death, without separation or removal from the divinity: *Captious, injurious to the faithful worshippers of the heart of Christ.*

OF THE ORDER PRESCRIBED IN PERFORMING PIOUS EXERCISES.

De orat. § 14, *append.* n. 34.

LXIV. The doctrine, which universally censures as superstitious "any efficacy whatsoever, which is placed in a definite number of prayers and pious salutations,"—as if the efficacy were to be set down as superstitious, which is taken not from the number considered in itself, but from the prescription of the Church, defining a certain number of prayers or external acts for obtaining indulgences, for fulfilling penances, and generally for performing sacred and religious worship duly and according to order: *False, rash, scandalous, pernicious, injurious to the piety of the faithful, derogating from the authority of the Church, erroneous.*

De pœnit. § 10.

LXV. The proposition, stating "that the irregular din of new institutions, which were called exercises or missions, perchance never, or at least very rarely, goes so far as to effect conversion, and that those external acts of commotion, which have appeared, were nothing else but passing flashes of natural concussion: *Rash, ill-sounding, pernicious, injurious*

to pious usage, frequently adopted in a salutary manner by the Church, and founded in the word of God.

ON THE MODE OF COMBINING THE VOICE OF THE PEOPLE WITH THE VOICE OF THE CHURCH IN PUBLIC PRAYERS.

De orat. § 24.

LXVI. The proposition asserting "that it would be contrary to the apostolic practice and the counsels of God, unless more easy methods were prepared for the people of joining their voice with the voice of the whole Church"—understood of the use of the vulgar tongue to be introduced into the prayers of the liturgy: *False, rare, calculated to disturb the quiet prescribed for the celebration of the mysteries, easily productive of several evils.*

OF THE READING OF THE SACRED SCRIPTURES.

Ex nota in fine decr. de gratia.

LXVII. The doctrine representing that nothing but real inability excuses from reading the Sacred Scripture, adding still further that they detect the obscurity which has arisen from the neglect of this precept over the primary truths of religion: *False, rash, calculated to disturb the quiet of souls, otherwise condemned in Quesnell.*

ON PUBLICLY READING PROSCRIBED BOOKS IN THE CHURCH.

De orat. § 29.

LXVIII. The praise with which the synod very much recommends Quesnell's commentaries on the New Testament, and other works favouring Quesnell's errors, although proscribed, and proposes the same to parish priests, that they may read them over to the people after the other offices, as though replete with solid principles of religion, each in his respective parish: *False, scandalous, rash, seditious, injurious to the Church, cherishing schism and heresy.*

OF SACRED IMAGES.

De orat. § 17.

LXIX. The prescription, which generally and without distinction marks among the images to be taken away from the Church, as affording a handle for error to the ignorant, the images of the incomprehensible Trinity: *On account of its gene-*

rality, rash and contrary to the pious custom frequently adopted by the Church, as though there were no images extant of the most holy Trinity, generally approved and safely to be permitted. (Ex brevi *Solicitudini nostræ*, Benedicti XIV. an. 1745.)

LXX. Likewise the doctrine and prescription generally reprobating all special worship, which the faithful are wont to pay to some image specially, and to have recourse to it rather than to another: *Rash, pernicious, injurious to the pious usage frequently adopted by the Church, as well as to that order of providence according to which God willed not that those things should be done in all* [*churches*] *to the memory of the saints, he who distributes his own to each according as he wills.* (Ex S. Aug. ep. 78. Clero, senioribus et universæ plebi ecclesiæ Hipponen.)

LXXI. Likewise that which forbids that the images, especially of the Blessed Virgin, be not distinguished by any titles, except by denominations, which may be analogous to the mysteries of which express mention is made in Sacred Scripture,—as if other pious denominations could not be affixed to images, which it approves and recommends, even in the very public prayers of the Church: *Rash, offensive to pious ears, injurious to the veneration due more especially to the Blessed Virgin.*

LXXII. Likewise that which wishes the custom to be extirpated as an abuse, by which certain images are kept veiled: *Rash, contrary to the custom introduced to cherish the piety of the faithful.*

ON FESTIVALS.

Libell. memor. pro fest. reform. § 3.

LXXIII. The proposition stating that the institution of new festivals had originated from neglect in observing old ones, and from false notions of the nature and end of the same solemnities: *False, rash, scandalous, injurious to the Church, favouring the reproaches of heretics on the festival days celebrated by the Church.*

Ibid. § 8.

LXXIV. The deliberation of the synod on transferring to the Lord's day festivals instituted annually, and that by

the right, which it says it is convinced is in the bishop's power regarding ecclesiastical discipline in order to things merely spiritual, and, therefore, that of abrogating the precept of hearing mass on days on which that precept still prevails according to an ancient law of the Church; and also in this, which it superadds, of transferring to Advent, by episcopal authority, fasts to be kept every year according to the precept of the Church,—inasmuch as it attaches to the bishop that it is lawful, by his own right, to transfer days prescribed by the Church for celebrating festivals or fasts, or to abrogate the precept once introduced of hearing mass: *A proposition false, detrimental to the right of general councils and sovereign pontiffs, scandalous, and favouring schism.*

ON OATHS.

Libell. memor. pro juram. reform. § 4.

LXXV. The doctrine which states, that in the times of the Church, at its birth, oaths appeared so foreign to the teachings of the divine preceptor, and to the golden evangelical simplicity, that the very swearing, without extreme and inevitable necessity, was deemed an irreligious act, unworthy of a Christian man; moreover, that the continued series of the fathers demonstrated that oaths were considered as forbidden by the general feeling; and thence it proceeds to disapprove of the oaths, which the ecclesiastical court, following the standard, as it says, of feudal jurisprudence, has adopted in the investitures and in the very sacred ordinations of the bishops, and has laid it down that a law is therefore to be implored from the secular power for abolishing oaths, which are exacted even in ecclesiastical courts for undertaking duties and offices, and generally for every act relating to the court: *False, injurious to the Church, detrimental to ecclesiastical right, subversive of the discipline introduced and approved by the canons.*

ON ECCLESIASTICAL COLLATIONS.

De collat. ecclesiast.

LXXVI. The vituperation, with which the synod attacks the school, as that "which opened the way for introducing novel systems, disagreeing the one with the other, as to truths of greater value, and at length brought matters to

probabilism and laxism"—in as far as it throws back upon the school the vices of private individuals, who may have the power to abuse it, or have abused it: *False, rash, injurious with respect to the most holy men and doctors, who cultivated school learning, to the great advantage of the Catholic religion, favouring the bitter reproaches of heretics.*

LXXVII. Likewise in what it adds, "that the change of form in the ecclesiastical government, by which it has come to pass, that the ministers of the Church came into a forgetfulness of their rights, which are their obligations, has brought the matter to such a pass, that it caused the primitive notions of the ecclesiastical ministry and of the pastoral solicitude to be obliterated,"—as if, through change of government corresponding to the discipline established in the Church and approved, the primitive notion of the ecclesiastical ministry, or pastoral solicitude could ever be obliterated and lost: *A proposition false, rash, erroneous.*

§ 4.

LXXVIII. The prescription of the synod concerning the order of the things to be treated in collations, by which, after premising, "In any article whatever that is to be distinguished, which pertains to faith and to the essence of religion, from that which is appertaining to discipline," it subjoins, "In this itself we must distinguish what is necessary or useful to retain the faithful in spirit from that which is useful or too burthensome for the liberty of the sons of the new covenant to brook, or rather from that which is dangerous or injurious, as leading to superstition or materialism,"—inasmuch as, considering the generality of the words it comprehends, and subjects to the prescribed examination even the discipline established and approved by the Church, as if the Church, which is ruled by the Spirit of God, could establish discipline, not only useless and too burthensome for Christian liberty to submit to, but also dangerous, hurtful, leading to superstition and materialism: *False, rash, scandalous, pernicious, offensive to pious ears, injurious to the Church and Spirit of God, by whom itself is ruled, at least erroneous.*

REPROACHES AGAINST SOME PROPOSITIONS HITHERTO AGITATED IN CATHOLIC SCHOOLS.

Orat. ad synd. § 1.

LXXIX. The assertion, which casts reproaches and contumelies on the propositions in the Catholic schools, and regarding which the Apostolic See has considered that nothing was as yet to be defined or pronounced: *False, rash, injurious to the Catholic schools, derogating from the obedience due to apostolic constitutions.*

ON THE THREE RULES LAID DOWN AS A FOUNDATION BY THE SYNOD FOR REFORM OF REGULARS.

Libell. memorial. pro reform. regular. § 9.

LXXX. Rule 1, which determines universally and indiscriminately, " that the regular or monastic state cannot be consistent with the cure of souls, and with the functions of pastoral life, and consequently cannot come in for a share of ecclesiastical hierarchy, without being at direct variance with the principles of the monastic life itself: *False, pernicious, injurious to the most holy fathers and prelates of the Church, who associated the institutes of the regular life with the offices of the clerical order, contrary to the pious, ancient, approved usage of the Church, and the sanctions of the Sovereign Pontiffs; as if monks, whom austerity of morals and holy training of life and faith recommends, could not be associated duly with the offices of clergymen, and not only without offence to religion, but also without great advantage to the Church.* (Ex S. Siricio, Epist. decret. ad Hemerium Tarracon. c. 13.)

LXXXI. Likewise in this which it subjoins, that Saints Thomas and Bonaventura were engaged in such a manner in defending the institutes of mendicants against the greatest men, that in their defences less warmth, greater accuracy was to be wished for: *Scandalous, injurious to the most holy doctors, favouring the impious contumelies of condemned authors.*

LXXXII. Rule 2, " that the multiplication and diversity of orders introduced naturally perturbation and confusion;" likewise in that which it premises, § 4, " that the founders of the regulars, who came forth after the monastic institutions, superadding orders to orders, reformations to reformations, effected nothing else, but more and more to

extend the primary cause of the evil,"—understood of the orders and institutes approved by the Holy See, as the distinct variety of pious offices, to which distinct orders were devoted, must by their nature create perturbation and confusion: *False, calumniating to the holy founders and their faithful followers, and also injurious to the Sovereign Pontiffs themselves.*

LXXXIII. Rule 3, in which, after premising, "that a small body living within a civil society, without being a part of the same, and establishing a little monarchy therein, is always dangerous,"—on this plea occasionally attacks private monasteries, associated by the tie of a common institute, especially under one head, as so many special monarchies, dangerous and mischievous to a civil republic: *False, rash, injurious to regular institutes approved by the Holy See for the interest of religion, favouring the cavils and calumnies of heretics against the same institutes.*

OF THE SYSTEM OR COMPLICATION OF ORDINATIONS DERIVED FROM THE RULES ADDUCED, AND INCLUDED IN THE EIGHT ARTICLES FOLLOWING FOR THE REFORMATION OF REGULARS.

LXXXIV. Art. 1: "About retaining one order only in the Church, and selecting in preference to all others the rule of Saint Benedict, as well on account of its excellence, as for the distinguished merits of that order, so, however, that in those matters which shall perchance occur less suitable to the condition of the times, the mode of life established at Port Royal may hold out a light to try what it may be necessary to add, what to subtract."

2. "That those who may have joined this order may not be made partakers in the ecclesiastical hierarchy, nor promoted to holy orders, except at most one or two, to be initiated as curates or capellani of the monastery, the others remaining in the simple order of laymen."

3. "That one monastery only is to be admitted in each state, and that that should be placed outside the walls of the city, in rather sequestered and remote situations."

4. "Among the occupations of monastic life, its own share must be reserved for manual labour inviolate, a suitable time, however, being left to be bestowed on psalmody, or even, if it shall please any one, on the study of literature. Psal-

mody should be moderate, because too great prolixity engenders precipitancy, trouble and straying. The more psalmody is increased, as also orisons and prayers, in just an equal proportion is the fervour and sanctity of regulars always diminished."

5. "No distinction perhaps should be admitted between monks, or those devoted to the choir or to the ministries; that inequality has at all time excited the most serious contentions and discords, and has driven the spirit of charity from communities of regulars."

6. "A vow of perpetual stability is never to be tolerated. The old monks were not aware of that, who still were the consolation of the Church, and the ornament of Christianity. The vows of chastity, poverty, and obedience, are not to be admitted as a common and stable rule. If any one should be disposed to make those vows, either all or some, he will demand advice and leave from the bishop, who, however, will never permit that they should be perpetual, nor shall they exceed the limits of a year. Only the power shall be given to renew them on the same conditions."

7. "The bishop shall have every care to examine into their life, studies, and progress in piety; to him it shall appertain to admit and expel monks; always, however, taking the advice of the associates."

8. "The regulars of the orders, which still remain, may be admitted into this monastery as priests, provided they should desire to devote themselves in silence and solitude to their own sanctification, in which case an opportunity would be created for a dispensation in the general rule set down as number 2, so, however, that they follow not a mode of life different from others, so that not more than one or two masses at most be celebrated every day, and that one ought to be sufficient for the other priests to celebrate with the community."

ALSO FOR THE REFORMATION OF NUNS.

§ 11.

"Perpetual vows not to be allowed up to the fortieth or forty-fifth year! Nuns are to be devoted to solid exercises, especially to labour; to be called away from carnal spirituality, by which most of them are distracted; it is to be

considered whether, with respect to them, it would be better that the monastery should be left in the city:" *a system subversive of discipline flourishing, and now from ancient times approved and received, pernicious, opposed, and injurious to the apostolic constitutions, as well as to the enactments of several even general councils, and especially that of Trent, abetting the reproaches and calumnies of heretics against monastic vows, and regular institutes addicted to the more stable profession of evangelical counsels.*

ON CONVENING A NATIONAL COUNCIL.

Libell. memor. pro convoc. concil. nation. § 1.

LXXXV. The proposition, stating that any ecclesiastical knowledge whatsoever of history is sufficient for any one to be obliged to acknowledge, that the convening of a national council is one of the canonical ways, by which controversies regarding religion may be terminated in the Church of the respective nations,—so understood, that controversies regarding faith and morals, in whatever church they may have arisen, can be terminated by an indisputable decision by a national council, as though exemption from error in questions of faith and morals were applicable to a national council: *Schismatical, heretical.*

We command, therefore, all the faithful in Christ of both sexes, that they presume not concerning the aforesaid propositions, to think, teach, or preach contrary to the declaration made in this our constitution; so that whoever either collectively or separately shall teach, defend, publish them, or any one of them, or shall treat of them by disputing on them, in public or in private, unless it may be by impugning them, subjects himself to ecclesiastical censures, and other penalties enacted by law against those perpetrating similar acts, by the very fact, without any other declaration.

But by this express reprobation of the aforesaid propositions and doctrines, we by no means intend to approve other things contained in the same book, especially since in it have been detected several propositions and doctrines, whether akin to those which were above condemned, or such as evince a rash contempt of the common and approved both doctrine and discipline, and most particularly a hostile feeling towards the Roman pontiffs and the Apostolic See.

But we consider two matters to be especially noted, which dropped from the synod, if not with an evil intention, at least rather imprudently, regarding the most august mystery of the most holy Trinity (§ 2, Decreti de Fide), which may readily drive into mischief, the ignorant more especially, and the incautious. First, whilst, after it duly premised that God in Himself is one and most simple, immediately after adding that God Himself is distinguished in three persons, erroneously abandons the common and approved formula in the institutions of the Christian doctrine, by which God is said to be one indeed in three distinct persons, not distinct in three persons; by the change of which formula, this danger of error creeps in by force of the words, that the divine essence is supposed distinct in persons, which Catholic faith confesses to be one in distinct persons, so that it professes it at the same time wholly indistinct in itself.

The other is that which it states regarding the three divine persons themselves, that they, according to their personal and incommunicable properties, more strictly speaking, are expressed or called the Father, the Word, and the Holy Spirit, as though the appellation of Son, consecrated by so many passages of Scripture, would be less proper and exact, which by the very voice of the Father came down from the heavens and from the cloud, as well in the formula of baptism prescribed by Christ, as also in that illustrious confession in which Peter was pronounced blessed by Christ himself, and that should not rather be retained which the angelic[a] preceptor, having been taught by Augustine, taught in his own turn, that "*in the name of the Word the same property was conveyed, as in the name of the Son,*" Augustine saying, for instance, "*For the same thing is He called Word as Son.*"[b]

Nor is that signal temerity of the synod, full of fraud, to be passed over in silence, which dares not only to set off with the highest encomiums the declaration of 1682, some time since disapproved by the Apostolic See, but in order to establish for it greater weight, insidiously to include it in the decree inscribed *de Fide*, openly to adopt the articles contained in it, and to seal with a public and solemn pro-

[a] St. Thomas was universally called the *angelic doctor*.
[b] Aug. de Trinitat. l. vii. c. 2.

fession of these articles matters which were stated in a scattered and detached way throughout this same decree. For which reason have we not only far graver cause for expostulating regarding the synod than our predecessors, with respect to that meeting (of the Gallican clergy), but further, no inconsiderable injury is inflicted on the Gallican Church itself, which the synod deemed worthy to have its authority called in to patronize the errors with which that decree was contaminated.

Wherefore, whatever acts of the Gallican Convention, on their coming forth soon after, our venerable predecessor, Innocentius XI., by a letter in the form of a brief, on the 2nd of April, 1682, but afterwards more expressly, Alexander VIII., in the constitution *Inter multiplices*, on the 4th of August, 1699, in virtue of their apostolic duty, disapproved, rescinded, and declared null and void; our pastoral solicitude more forcibly requires of us to condemn and reprobate the recent adoption of these same acts which took place in the synod, and which laboured under so many vices, such adoption being rash, scandalous, and especially as being extremely injurious to the Apostolic See, as we reprobate and condemn it by this our present constitution, and wish it to be considered reprobated and condemned. To that class of fraud it appertains, that the synod, comprising in this very decree several articles regarding faith, which the theologians of the faculty of Louvain laid before the judgment of Innocentius XI., as well as twelve others also presented by Cardinal de Noailles to Benedict XIII., hesitated not to awaken an idle and silly fiction from the Second Council of Utrecht, which was reprobated, and inconsiderately blazoned it among the multitude, that it was well known to all Europe that those articles were submitted to the most rigorous examination at Rome, and that they not only escaped free from any censure whatsoever, but that they were recommended by the aforesaid Roman pontiffs; of which asserted commendation, however, there is no authentic document extant; nay more, this same is contradicted by the proceedings of the examination, which are preserved in the tablets of our Supreme Inquisition, from which this only appears, that no judgment had been published regarding them.

For these causes, therefore, we prohibit and condemn, by apostolic authority, by the tenor of these presents, this same book, entitled "*Atti e decreti del concilio diocesano di Pistoria, dell'* 1786. *In Pistoria, per Atto Bracali, stampatore vescovile. Con approvazione,*" inscribed either with the preceding or some other title, wheresoever, or in what idiom soever, in whatsoever edition or version hitherto printed or to be printed; as in like manner we prohibit and interdict all other books in its defence, or in defence of that doctrine, edited in manuscript as well as printed, or to be edited, which God forbid, as also the reading of them, copying, retention, and use, to all and each of the faithful in Christ, under pain of excommunication, to be incurred *ipso facto* by those who disobey.

We recommend, moreover, to our venerable brethren, patriarchs, archbishops, and bishops, and other ordinaries of places, as well as to the inquisitors of heretical perverseness, by all means to constrain and force all refractory and rebellious persons whatsoever, by censures and the aforesaid pains, and the other remedies of law and fact, invoking even for this purpose, if necessary, the aid of the secular arm.

But we desire, that the same credit be given to copies, even printed copies of the same presents, subscribed by the hand of some notary-public, and confirmed by the seal of a person placed in ecclesiastical dignity, as should be given to the original letter itself, if it were exhibited or shown.

Let it be lawful, therefore, for no one to infringe, or by rash daring to contravene, this page of our declaration, condemnation, mandate, prohibition, and interdiction. But if any one shall presume to attempt this, let him know that he will incur the indignation of Almighty God, and of the blessed apostles Peter and Paul.

Given at Rome, at Saint Mary Major's, in the year of the incarnation of our Lord 1794, on the 5th of the calends of September, the twentieth year of our pontificate.

Ph. Card. PRODATARIUS.

Visa *R. Card.* BRASCHIUS DE HONESTIS.

De curia I. MANASSII.

Loco ✠ *Plumbi.*

F. LIVIZZARIUS.

Registered in the Secretary's Office of Briefs.

In the year from the nativity of our Lord Jesus Christ, 1794, on the twelfth indiction, on the 31st day of August, in the twentieth year of the pontificate of our most holy father in Christ, and of our Lord Pius VI., Pope, the aforesaid apostolic letter was affixed and published at the doors of the Lateran Basilic and of the Prince of the Apostles, of the Apostolic Chancery, of the General Court in Montecitatorio, in the plain of Campo di Fiore,[c] and in the other and usual places of the city, by me, John Renzoni, Apostolic Courier.

FELIX CASTELLACCI, *Magister Cursorum.*

PART OF THE ADDRESS

DELIVERED IN THE SECRET CONSISTORY, ON THE 26TH DAY OF JUNE, 1805, BY OUR MOST HOLY LORD PIUS VII., BY DIVINE PROVIDENCE POPE.

ON our first arrival into that city (Florence) we already had a presentiment, that our brother, Scipio Riccini, bishop of Pistoria formerly, and of Prato, was seriously thinking of reconciling himself to us and the holy Roman Catholic Church, which we wished a long time, and which all good men were most eagerly waiting for. But now he has fulfilled this his intention to us on our return into the aforesaid city, by an egregious example well worthy of imitation. For with filial confidence he signified to us, that he would sincerely subscribe to the formula which it had pleased us to propose to him. Nor was he wanting in the fulfilment of the promise he had made to us. For the formula sent to him by our venerable brother, archbishop of Philippi, he read, admitted, and signed with his own hand. By this formula, therefore, which he desired to be brought to the knowledge of the public, in order to repair the scandal, he declared, that he purely, and simply, and sincerely accepted and venerated the constitutions made by the Apostolic See, in which the errors of Baius, Jansenius, Quesnell, and those who followed him, are proscribed, but especially the dog-

[c] A moderate-sized square, with a fountain in the middle. I have some doubts as to the meaning of "*in acie.*"

matic bull *Auctor fidei*, by which eighty-five propositions are condemned, culled from the Synod of Pistoria, which he himself had collected and ordered to be published; therefore, that he reprobated and condemned all and every one of these propositions, with those qualifications and in those senses which were expressed in the aforesaid bull; in fine, that he wished to live and to die in the faith of the holy Roman Catholic Apostolic Church, and in every kind of subjection and true obedience to us and to our successors, as sitting in the chair of Peter, and vicars of Jesus Christ. After so solemn a declaration, we sent for him to us, and when he again affirmed to us, the formula he had subscribed by him; and when he avowed the sincerity of his meaning, and in repeated terms his inward submission to the dogmatic decisions of Pius the Sixth, of sacred memory, and whilst he declared that his mind was devoted to the orthodox faith and to the Apostolic See, even in the midst of his errors, we embraced him with paternal affection; and having commended him with due praise for the act which he performed, we reconciled him to us and to the Catholic Church with all feelings of charity. But when, in a letter lately dated to us, in which he congratulates us for our happy and successful return into the city, he assured us that he ratified the retractation made at Florence, he again filled our breast with paternal joy.

THE END.

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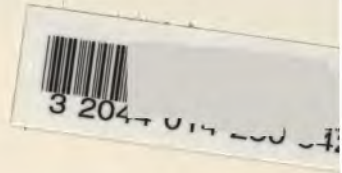

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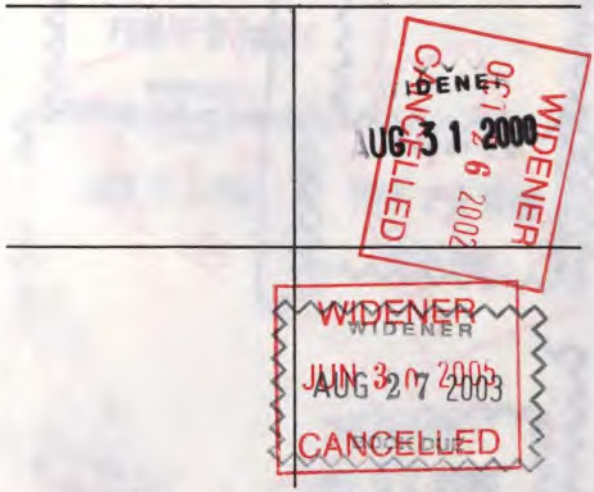

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